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Lancashire & Cheshire







THE RECORD SOCIETY

FOR THE

Publication of Original Documents

RELATING TO

LANCASHIRE AND CHESHIRE.

Publication.

VOLUME XXXIX.

1899.

Lancashire, Eng.

Final Concords

OF THE

County of Lancaster,

FROM THE ORIGINAL

Chirographs, or Feet of Fines

PRESERVED IN THE

Public Record Office,

LONDON.

PART I.—7 RICHARD I. TO 35 EDWARD I.

. A.D. 1196 TO A.D. 1307.

TRANSCRIBED, TRANSLATED, AND ANNOTATED BY

WILLIAM FARRER.

PRINTED FOR

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1899.

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ADDITIONS AND CORRECTIONS.

- p. 8; *note* 1, line 6, *for* "was," *read* "is supposed to have been"; line 11, *for* "another daughter of Orm son of Ailward," *read* "Emma, daughter of Albert Grelley II."; line 12, *cancel* the sentence which begins "Possibly a third dau. . . ."; line 13, *for* "Baines," *read* "Harland."
- p. 20; *note* 3, line 2. Kaskenmoor was the name of a district embracing the modern townships of Crompton and Oldham.
- p. 31; *note* 2. The statement that Hornby was acquired by Adam de Montbegon in marriage with Matilda, one of the daughters and coheirs of Adam fits Swain, rests upon the authority of Dr. Whitaker (*History of Richmondshire*, ii, p. 250). The truth of this statement requires proof.
- p. 38; *note* 1, line 1, *after* "Malham," *read* "and Stackhouse."
- p. 41; *note* 2, line 1, *dele* "over Hulton." Little Hulton appears to have been held in 1212 by Iorwerth de Hulton, of Richard de Worreley, who in turn held it of William de Nevill. The latter died before 1212, at which date his estates in Lancashire were in the King's hands.
- p. 58; *note*, line 10, *for* "Roger de Montbegon," *read* "Adam de Montbegon."
- p. 59; *note* 1, line 4, *for* "br.," *read* "de."
- p. 62; *note* 1, line 23. It is uncertain whether Augustine de Barton was grandfather, or first husband of Edith de Barton—probably the latter. Line 26, *for* "Lincolnshire," *read* "Yorkshire."
- p. 65; *note* 1, line 11, *for* "Evan," *read* "Eynon."
- p. 88; *note* 2, line 8, *for* "probably a Lincolnshire man," *read* "a Yorkshire man."
- p. 89; *note*, line 32, *cancel* the sentence which begins "His *first* wife." Margery de Elland was Gilbert de Notton's first wife, and therefore Gilbert de Barton's grandmother. Line 35, *dele* "second."
- p. 108; *note*, line 4, *for* ". . . de Yealand," *read* "Roger de Yealand"; line 9, *after* "Conyers," *insert* "(*Dodsworth's MSS.*, cxlix, f. 149)."
- p. 130; line 1, *for* "Mary," *read* "Margery."
- p. 131; *note*, line 13, *for* "laad," *read* "land."

INTRODUCTION.

What is a Final Concord, or Fine? It is a legal instrument, by which lands were conveyed or transferred, in the form of a compromise or agreement made between two parties, who had been litigating their rights in the King's Court. Before the commencement of this class of record, a charter of feoffment was practically the only written instrument by which lands or other hereditary estates were transferred or conveyed. But many inconveniences were found to this method alone, in spite of the publicity given to such instruments by the fact that they were executed at an important gathering of people, such as the County Court, or at the celebration of mass upon an important feast day, and by the attestation of many persons of position and repute, living in the locality of the estate to be conveyed, and in spite of the solemn and public manner in which seisin of the estate was wont to be delivered. The inconveniences arose from forgery, a crime of frequent occurrence in early times, from the loss or destruction of the deed of feoffment, and from the difficulty of proving the genuineness of the instrument, when after lapse of years, the parties to it, and the witnesses were all dead.

Most of the early Fines arose out of litigation in the King's Court. This is clearly proved by the records of suits, found in the Plea Rolls, and in the Rolls of the King's Justices of Assize, from which many extracts have been printed in this Volume. When once a suit had been commenced in the King's Court, no compromise could be entered into, or agreement made, without the sanction of the Court, and the payment of a fine "*pro licentia concordandi*." But an agreement made in the King's Court, respecting a title which had been questioned by the adverse party,

and ratified by the sanction of the King's own Justices, possessed a value which no other process could give. Accordingly the ingenuity of the lawyers soon suggested the institution of fictitious suits in order that any conveyance, or transfer, whether by sale or in trust, or to effect a family settlement, might possess the authenticity and security which ratification before a High Court of Justice gave to it.

Concords or covenants were occasionally made before the King and his Court, very soon after the conquest of England, but it was not until the 28 Henry II. that they took a practical and permanent form, and became habitual. Even then it does not appear that the Court of Exchequer retained copies of the agreement. But in the 6 Richard I., on the 15th July, 1195, an innovation was introduced by Hubert Walter, Archbishop of Canterbury, it is said, by which Fines were made in the form of three chirographs, one of which was given to the plaintiff, another to the defendant, and the third retained by the officers of the Treasury. (Cf. Endorsement on Fine No. 148, 40 Henry III.). All three were written upon one membrane on this wise. A rectangular piece of parchment was divided into three equal compartments, one cross-wise and two length-wise. In the centre of the parchment between the two longitudinal sections, the word *CHIROGRAPHUM* was written in large characters, and upon each side a copy of the Fine was engrossed, as also upon the cross section. The parchment was then cut into three, by a straight cut across the parchment, severing the foot of the Fine, which was to be retained in the Treasury, and by a waving longitudinal cut through the word *CHIROGRAPHUM*, severing the plaintiff's and defendant's respective portions. Thus three copies of the concord or fine were engrossed, and then cut up in such a manner as to minimise the possibilities of forgery or fraudulent imitation.

In addition to the incontestable evidence of the transaction afforded by the levying of a Fine, the safeguards against fraud, and the facility with which the veracity of a Fine could be settled

by a search in the Treasury, there were other valuable safeguards to a title which originated with a Fine. If one of the parties to a Fine or his heir afterwards violated the conditions, an action, *Quare non tenet ei finem factum*, lay against him. (Cf. Fines, *temp.* Hen. III., Nos. 8, 63, 65, and 129). Further, a Fine set a preclusive term running against those who might wish to assert a right or claim to the estate transferred. This term lasted for a year and a day after the successful demandant had been put in seisin by the Sheriff. No neglect to take action within the specified term could be afterwards remedied unless the claimant lay under one of the recognized disabilities, such as infancy, or being over seas. Objection was frequently made, as is apparent from the endorsement commonly found on the foot of the Fine, "A.B. puts in his claim." (Cf. Fines, *temp.* Hen. III., No. 5, 50, 160, 176, 178; Edw. I., No. 8.) Again, from about the 10 Edward I., advantage was frequently taken of the simplicity and security offered by a Fine, to effect a family settlement with remainders. (Cf. Nos. 17, 19, 23, etc., etc.)

The son demands from the father, by means of a writ of right, or of covenant, or of *warrantia cartæ*, the estate intended to be put into settlement. The plea is commenced in the King's Court, and the father as tenant or defendant comes into court, and both parties having obtained licence to concord, the father acknowledges the land to be the right of the son, with remainder to other sons, and remainder over to his own right heirs. Sometimes the son grants a life interest in the land, or a portion of the land to the father. In such a case the father being in seisin before the action commenced, remains in seisin of the whole or part of the estate, thus showing that a Fine does not transfer seisin. Sometimes indeed, at the time a Fine is levied between two parties, a third party may be seised of the estate, and his seisin and rights remain unaffected by the fictitious action and compromise. Seisin was effected by the judgment of the Court through the Sheriff.

In the present series of Fines or Concords, it will be

interesting to note (1) where they were levied, (2) the nature of the writ upon which the real or fictitious action was commenced, (3) the estates or hereditary rights other than land dealt with, and (4) to examine the nature of the suit of court, customs, and services to be performed by free tenants, as disclosed in some of these Final Concords.

(1) Only one Fine was made in a Court other than the King's Court, viz., one of the 7 Richard I., made in the Court of Roger de Lacy, at Clitheroe (page 2). One, in the 7 John, was made at the Exchequer in London (No. 40, p. 24). All the rest were made before the Justices of the King's Court, sitting at Westminster, or before the King's Justices in Eyre, at Lancaster, York, Appleby, and other places. From these records we learn that Assizes were held at Lancaster as follows:—

In 1202, between 25th October and 7th November, the Justices being John, Bishop of Norwich, Hugh Bardulf, John de Gestlings, Master Roger Arundel, and William fitz Richard (pp. 9—22).

In 1208, during the week commencing 5th October, and that commencing 7th December, the Justices being Adam de Port, Simon de Patshull, Henry fitz Hervey, Robert de Percy, Alexander de Pointon, Henry de Northampton, Ralph Hareng, and Geoffrey de L'Isle (pp. 29—36).

In 1219, between 16th January and 4th February, the Justices being Philip de Ulcot, Thomas de Multon, Ralph de Feritate and Lawrence de Wilton, clerk (pp. 40—42).

In 1227, during the fortnight commencing 14th January, the Justices being Martin de Patshull, Ranulf, son of Robert, Brian fitz Alan, William de L'Isle, Richard Ducket, and John de Lacy, Constable of Chester (pp. 47—53).

In 1235, between 13th and 18th May, the Justices being Roger Bertram, Robert de Roos, William de York, and Richard de Levington (pp. 59—73).

In 1241, during the fortnight commencing 11th November,

the Justices being Robert de Lexington, Ralph de Sulleg, William de Coleworth, and Jollan de Nevill (pp. 79—91).

In 1246, during the fortnight commencing 20th October, the Justices being Roger de Thirkleby, Gilbert de Preston, Master Simon de Wauton, and John de Cobham (pp. 93—106).

In 1256, during the fortnight commencing 18th June, the Justices being John, Abbot of Peterbrough, Robert de Thirkleby, Peter de Percy, Nicholas de Hanlan, and John de Wyvill (pp. 118—129).

In 1262, during the fortnight commencing 9th February, the Justices being Walter de Helyon, John de Oketon, Peter de Chester, and William de Northbury (pp. 133—142).

In 1292, during the fortnight commencing 8th June, the Justices being Hugh de Cressingham, William de Ormsby, John Wigan, Master John Lovel, and William de Mortimer (pp. 166—176).

(2). As all actions whether real or fictitious were commenced by writ, it will be interesting to note the various forms of writ which were used. In the reign of King John we find nine actions to obtain recognition of dower¹; twenty-seven actions commenced by writ of *mort d'ancestor*; one by an assize of last presentation (*assiza de ultima præsentatione*), respecting the advowson of the Church of Radcliffe²; six by the summoning of a grand assize³; and two by writ of warranty of charter (*warrantia cartæ*)⁴. In the reign of Henry III. we find ten actions to obtain recognition of dower⁵; twenty-five commenced by writ of *mort d'ancestor*; three by assize of last presentation⁶; thirteen by the summoning of a grand assize; twenty-six by writ of warranty of charter; nine by writ of

¹ Nos. 1, 6, 10, 15, 26, 31, 47, 51, 62.

² No. 5.

³ Nos. 12, 40, 50, 56, 58, and 15 *divers counties*.

⁴ Nos. 46, 48.

⁵ Nos. 52, 85, 104, 114, 123, 161, and in those of *divers counties* Nos. 11, 104, 121, and 288.

⁶ Nos. 44, 64, 102.

covenant; four by writ of fine made; two by assize to determine whether land was free alms or lay fee¹; and six by writ *de libertate sua probanda*, by which villeins obtained recognition of their liberation from servitude². In the reign of Edward I. the writ of warranty of charter appears to have been much the most popular, although instances of the commencement of actions by other writs are not wanting.

(3). Of estates, or hereditary rights, other than the possession of land, or dower, which were the subjects of litigation and composition by fine, we have instances—of the advowson of churches³, of a fishery⁴, of multure, or suit of mill,⁵ of the diversion of a watercourse⁶, of the withdrawal of services and customs⁷, of the withdrawal of suit of court⁸, of common of pasture⁹, of an iron mine¹⁰, of the enfranchisement of villeins¹¹, and of estovers¹². Litigation respecting all these subjects will be found to have been terminated or composed by the levying of a fine.

(4). In Saxon times the Lancashire thanes were required to do “Bode and Witness” whenever the Reeve summoned them. In other words, it was one of the conditions of their tenure that they should carry messages, or summonses, or attend at the Court to give evidence, when required. After the Conquest, the chief military tenants obtained great franchises, and judicial privileges, under which arose such Courts

¹ Nos. 125, 126.

² Nos. 69, 73, 92, 107, 112, 153.

³ *Temp.* Richard I., No. 113, 139; *temp.* Hen. III., Nos. 26, 44, 64, 102, 130; *temp.* Edw. I., Nos. 42, 71, 84.

⁴ 10 Richard I., No. 4. *temp.* John, Divers Counties, No. 51.

⁵ *Temp.* John, No. 54; *temp.* Hen. III., Nos. 137, 145.

⁶ *Temp.* John, No. 57.

⁷ *Temp.* John, No. 59; *temp.* Hen. III., Nos. 15, 101, 121, 129, 139, 147, 150, 154; *temp.* Edward I., No. 36.

⁸ *Temp.* Henry III., Nos. 13, 95, 159.

⁹ *Temp.* Hen. III., Nos. 37, 45, 66, 128, 132, 149, 152, 160.

¹⁰ *Temp.* Hen. III., No. 62.

¹¹ *Temp.* Hen. III., Nos. 69, 73, 92, 107, 112, 153.

¹² *Temp.* Edw. I., No. 39.

as those held from three weeks to three weeks at Manchester, Warrington, Widnes, Newton, Penwortham, Clitheroe, Rochdale and elsewhere. At these courts the free tenants, whether holding by military service, thanage, or other tenure, owed suit, *i.e.*, it was required of them, as one of the conditions of their tenure, that they should attend the Court of the lordship of which they held their lands, to perform the duties of Doomsmen, or Judges, as they were variously styled. They were in fact jurymen, who being sworn, heard evidence, and gave judgments, dooms or awards. As each Court required only a specific number of judges, certain manors or estates were charged with the duty of providing these officers. When a plea was summoned in any of these Courts by the King's writ, it was obligatory upon the judges to appear fortnightly, instead of every three weeks. This obligation of doing "Bode and Witness" continued after the conquest, but instead of being incidental to specific estates, it was obligatory upon all free tenants. Each of the Courts had a staff of serjeants or bedels, who rode or went on foot through the lordship, to deliver the summonses of the Court, make attachments, levy distress, and so forth. When they came within any manor or township in the exercise of their office they took from the tenants meat and drink, and forage for their horses. This exaction was known as "puture of the serjeants." In the case of the Hundred, there was a master serjeant, with other serjeants under him, known as grith-serjeants, *i.e.*, preservers of the peace (A.S. *grith*—*peace*, *the King's peace*). The master serjeant generally possessed an estate by virtue of his office, which was hereditary. He and two of his subordinates had horses provided, to assist them in the execution of their duties, which might require them to go into any part of the Hundred. It was a curious and interesting feature of this office that the free tenants of the Hundred "had the liberty that they were accustomed, and ought duly to elect and constitute, by the advice and consent of the Sheriff, grith-serjeants, who should duly preserve the King's

peace, and answer for such free tenants, if the King's peace was not well kept." (Pleas before the King's Council, Hilary Term, 38 Henry III., *Abbrevatio Placitorum*, Record Com., p. 142). They also performed other duties, similar to those described above, as incidental to the bedels of the baronial courts; and they also exacted puture when travelling in the execution of their duties.

A perusal of this volume will prove the value, from a historical point of view, of this somewhat neglected class of our Public Records. But the ability of the Record Society to print the complete series relating to Lancashire to the end of the reign of Elizabeth, and to publish other equally interesting abstracts from the Public Records, depends upon the amount of support accorded to the Society by the educated classes. At present that support is withheld, by many who could well afford to help, and the work of the Society is accordingly crippled. It is not creditable to the educated and literary section of the community, that a Society instituted for the publication of historical materials relating to one of the most interesting counties of the kingdom, of which the thorough history has yet to be written, should be gradually verging towards dissolution from lack of public support.

Besides appealing for greater support to the objects of the Society, the Editor respectfully urges that the owners of ancient documents relating to the County should kindly permit some member of the Council of the Society to inspect and transcribe any such records of historical interest, other than those which are of a private character, as would assist in the compilation of a History of the County. Though there is a large amount of material available in the MSS. of Christopher Towneley, R. Dodsworth, Dr. Kuerden, and in the various collection of MSS. preserved in the Public Libraries in the County, much yet remains unutilized in muniment rooms and deed chests, which is liable at any time to destruction by fire, damp, vermin, or ignorance.

The Editor desires to acknowledge the assistance in the interpretation of Final Concords, which he has derived from that storehouse of historical learning, *THE HISTORY OF ENGLISH LAW*, by Professor Maitland, and ~~James~~ Sir Frederick Pollock, Bart. He also desires to acknowledge the help rendered by Mr. Thomas Price, in copying many of the original chirographs, and in making the Index to this Volume.

W. F.

MARTON IN CRAVEN,
March, 1899.

Final Concords.

LANCASTER.

33 HENRY II.

(*Public Record Office, Duchy of Lanc. Class xxv., A 9.*)

At Richmond, on the * * *. 33 Henry II. [1187], before Godfrey de Luci, &c.

Between Robert de Lascy, plaintiff, and William, son of Rosselin, tenant, of the whole town of **Ribbecestre'** [*Ribchester*].
[The terms of the concord are not recorded].

5 RICHARD I.

(*Duchy of Lanc., Great Coucher, vol. ii., p. 110.*)

At Winchester, on the 21st April, 5 Richard I. [1194], before the King, &c.

Between Albrey de Lisores and Roger, constable of Chester, her grandson (*nepos*), respecting the whole estate which belonged to Robert de Lasci.²

Albrey and her heirs quit-claimed the whole estate which had been Robert de Lascy's to the said Roger and his heirs; and Roger granted to Albred, that she should hold the estate of Robert de Lisores her father all her life, without any exception, by the service which pertains to that land, to wit the service of eight knights' fees. After her decease, William her son and his heirs shall hold that land in fee and inheritance of Roger and his heirs, by the said service. Roger also gave Albred twenty librates of land in **Bardington**, to hold during her life quit of all service; and after her decease, William

¹ William, son of Rosselin, is mentioned in the Pipe Roll of 54 Hen II., as owing half a mark for withdrawing a plea. Cf. Nos. 13 and 32, *sup.* John, *postea*.

² See Ormerod's *History of Cheshire*, vol. i., p. 695; also Whitaker's *History of Wharfedale*, vol. i., p. 241.

Final Concords.

LANCASTER.

33 HENRY II.

(*Public Record Office, Duchy of Lanc. Class xxv., A 9.*)

At Richmond, on the * * *, 33 Henry II. [1187], before Godfrey de Luci, &c.

Between Robert de Lascy, plaintiff, and William, son of Rosselin, tenant, of the whole town of Ribbecestre' [*Ribchester*].
[The terms of the concord are not recorded].

5 RICHARD I.

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At Winchester, on the 21st April, 5 Richard I. [1194], before the King, &c.

Between Albrey de Lisores and Roger, constable of Chester, her grandson (*nepos*), respecting the whole estate which belonged to Robert de Lasci.²

Albrey and her heirs quit-claimed the whole estate which had been Robert de Lascy's to the said Roger and his heirs; and Roger granted to Albred, that she should hold the estate of Robert de Lisores her father all her life, without any exception, by the service which pertains to that land, to wit the service of eight knights' fees. After her decease, William her son and his heirs shall hold that land in fee and inheritance of Roger and his heirs, by the said service. Roger also gave Albred twenty librates of land in Bardington, to hold during her life quit of all service; and after her decease, William

¹ William, son of Rosselin, is mentioned in the Pipe Roll of 24 Hen. II., as owing half a mark for withdrawing a plea. Cf. Nos. 13 and 32, temp. John, *postea*.

² See Ormerod's *History of Cheshire*, vol. i., p. 695; also Whitaker's *History of Wharfedale*, vol. i., p. 241.

her son and his heirs to hold that land in fee and inheritance of the said Roger and his heirs, by the service of one knight's fee. For the grant of these twenty librates of land, Albred forthwith delivered and quitclaimed to Roger, the town of **Hauton in Lindsey**, which she held in dower.

7 RICHARD I.

(*Duchy of Lanc. Class xi., No. 7, Coucher of Kirkstall, f. 55b.*)

At Clitheroe, in the court of the lord Roger de Laci, constable of Chester, in the 7 Richard I. [1195-6].

Between Henry de Helande, plaintiff, and Robert de Clivercher, the hunter, tenant of three oxgangs of land in **Clivercher** [*Cliviger*], with appurtenances.

Robert shall hold the land during his life, rendering yearly to Henry at the feast of St. Oswald [5th August], twelve pence, and performing forinsec service. The whole profit of that tenement from fishings and mills to be to the use of Henry, except grinding for Robert's own house, which he shall have free during his lifetime. After his decease two of the three oxgangs shall revert to Henry and his heirs, and the third to Margaret, daughter of the said Robert, and to her heirs, for which she shall yearly render to Henry and his heirs four pence at the feast of St. Oswald, and perform forinsec service.¹

RICHARD I.

(*Public Record Office.*)

No. 113.—This is the final concord made in the Court of the Lord the King at Westminster, on Tuesday next after the Purification of the blessed Mary, in the 7th year of the reign of King Richard [6th Feb., 1196], before Hubert, Archbishop of Canterbury, Godfrey of Winchester, and Gilbert of Rochester, Bishops, Geoffrey fitz Piers, William of St. Mary's Church, Richard Archdeacon of Ely, Ralph Archdeacon of Hereford, Simon de Patshull, Osbert fitz Hervey, and Richard de Heriet, Justiciars of the Lord the King, and other faithful persons of the Lord the King there present.

Between Abbot Hugh, and the Convent of Shrewsbury, tenants, and Theobald Walter, plaintiff, respecting the advowson of the whole Church of **Kirkeheim** [*Kirkham*], in Amunderness, with

¹ See *History of Whalley*, vol. ii., p. 196.

its appurtenances. Whereupon there has been a plea between them in the aforesaid court.¹

To wit, that the aforesaid Abbot and Convent have granted in perpetuity to the said Theobald and his heirs, the advowson and presentation of the said whole Church, saving to them the annual pension of twelve marks in the said Church. So that the Clerks, whom the said Theobald or his heirs shall present to that Church, shall make oath before the Archdeacon of Richmond or his official (*officialis*), or before him to whom those Clerks shall be presented, respecting the faithful payment of the said pension of twelve marks, viz., six marks at Easter and six marks at the feast of St. Michael. And the aforesaid Abbot, or his successors, or the Convent shall not be able to claim anything (*quicquid exigere*) in the aforesaid Church against the said Theobald and his heirs, or against the Clerks by them presented, except the aforesaid pension of twelve marks. And when it happens that the said Theobald or his heirs shall present Clerks to the said Church, the aforesaid Abbot and Convent shall dispatch some one on their behalf to receive fealty from the Clerks who have been presented, respecting the aforesaid pension of twelve marks to be paid as is aforesaid. But if by chance the aforesaid Abbot and Convent do not dispatch anyone on their behalf for this purpose, the said Theobald and his heirs shall nevertheless make their presentation, saving the aforesaid pension of twelve marks. And the said Theobald and his heirs shall certify the Convent of Shrewsbury as to the term at which the Clerks ought to be presented to the said Church, fifteen days before making the presentation. But if the aforesaid Abbot shall not come, nor send any one on his behalf to receive that fealty from the Clerks to be

¹ The church of Kirkham, with the whole township, had been granted by Count Roger the Poitevin, *circa* 1094, to the Abbey of St. Peter of Shrewsbury. It was also included in the Count's grant to St. Martin of Sees in the year 1094, which also included various other churches in Lancashire. Consequently disputes arose between the two houses, as to which had the better right. It was finally adjudicated to the former by an award of William, Archbishop of York, between the years 1144 and 1147. By charter, dated at Winchester, 22nd April, 1194, Richard I. granted to Theobald Walter the whole hundred of Amounderness, by virtue of which, Theobald claimed an interest in the said church of Kirkham. In Michaelmas Term, 1194, he was suing Adam, Dean of Kirkham, and Richard, the clerk, for the advowson of that church, and they in turn probably vouched to warrant the Abbot of Shrewsbury, with the result that the above concord was concluded.

presented, respecting the aforesaid pension of twelve marks yearly to be faithfully paid as is aforesaid, the Archdeacon of Richmond, or he who shall be competent to admit the Clerks who are to be presented, shall receive that fealty from the Clerks to be presented, in place of the Abbot and Convent.

[Endorsed]. These chirographs have been deposited in the hand of William de Waledon, as if in sequestration; so that the advent of the Archdeacon may be awaited, and it may be known through him if he be willing to give his assent to it; so then all will be settled (*stabile*) if the Archdeacon should give his assent.

No. 116.—At Westminster, on Sunday next after the Octave of the Purification of the blessed Virgin Mary, 7 Richard I. [11th Feb., 1196].

Between the Abbot and Convent of Furneis, plaintiffs, by William de Leides, cellarer, and William de Lonesdale, put in their place to win or lose in the said Court, and Gilbert, son of Roger fitz Reinfrid and Helewise, his wife, tenants, by Richard de Marsh (*de Marisco*), Clerk, put in their place, &c., respecting **Furness Fells**¹ (*de Montanis de Furnesio*).

The Abbot and Convent have granted to Gilbert and Helewise, his wife, and to their heirs, that part of the Fells of Furness lying towards the West, which their predecessors had in accordance with a concord and agreement, which was made in the Court of King Henry [II.] before him, as the charter which the monks have bears witness, by these bounds, to wit, from Elteswater [*Elterwater*], by the dale to Tildesburghthwait [*Tilberthwaite*], thence by Ywedalebec [*Yewdalebeck*] to Koningeston [*Coniston*], and so into Thurstaine-water [*Coniston Lake*], thence along the edge [of the lake] to the head of Thurstaine-water, as far as the point which stretches [into the lake] below Rig, unto Craic [*the river Crake*], thence by Crake unto Leven; Also from Elteswater over against the Fell, by the stream which falls down from Wreneshals [*Wrynose Hawse*] unto Wreneshals, and so descending by Wreneshals into Borgerha [*unidentified*], and from Borgerha unto Duthen [*Duddon*], and thence descending by Duthen as far as the bounds of Brocton [*Broughton-in-Furness*] extend; to hold of the Abbey of Furnez and of the said monks, in wood and plain, in waters and fisheries, rendering yearly to the Abbey

¹ See *Annales Furnesienses*, pp. 144 and 162.

and monks twenty shillings for all service and custom. More-over the Abbot and monks granted to Gilbert and Helewise, and to their heirs, Olveston [*Ulverston*], with all appurtenances, for ten shillings to be rendered yearly to the monks for all service. These lands Gilbert and Helewise and their heirs shall hold of the Abbey and monks in fee and inheritance, as freely and quietly as the monks themselves hold of their lords, saving their service of thirty shillings for all service to be paid to them yearly on the Eve of the Assumption of the blessed Virgin Mary. And Gilbert and Helewise his wife have granted and quit-claimed to the Abbot and monks of Furneis, buck and doe, and hawk, in that part of the Fells which belongs to the monks, and every liberty which Gilbert and Helewise themselves possess, freely and peaceably, and without claim from them and their heirs, by these bounds, to wit, from Elteswater by the dale to Tildesburghtwait, thence by Ywedalebec to Koningeston and so to Thurstaine-water, by the edge [of the lake] to the head of Thurstaine-water to that bank which extends below Rig, unto Craic, and thence by Craic eastward unto Leven; also from Elteswater unto Braitha [*Brathay*], and from Braitha unto Winendremmer [*Windermere*], and by Winandremmer unto Leven, and so by Leven unto the sea. Gilbert and Helewise also rendered to the monks and quit-claimed unto them, Neubi [*Newby, par. Clapham*] with all appurtenances, quit of all right and claim which they have therein, or which belonged to them or their heirs, to hold henceforth freely and quietly, and peaceably to possess [the same] in the place of Gilbert and Helewise, and their heirs. If, however, anyone shall hereafter seek to harass the monks respecting it [*i.e.*, Newby], Gilbert and Helewise, and their heirs, will aid them to the utmost of their ability, and maintain them in possession without cost. The thirty shillings which Gilbert and Helewise owe yearly to the monks, for service for the Fells and Olveston, they will pay on the Eve of the Assumption of St. Mary. Furthermore, Gilbert and Helewise granted to the monks a free road and passage for themselves and all their belongings, by the way which leads from the Abbey of Furnez through Olveston, and so through Craikeslith [*Crake's lyth*] unto the fishery of Craic, and so to their own lands whithersoever they may wish, because the monks and their belongings sometimes used to suffer molestation on that road.

No. 125.—At Westminster, on Thursday next before the Invention of the Holy Cross, 7 Richard I. [2nd May 1196].

Between Richard le Norreis (*Norrensis*), plaintiff, and Jordan, his brother, tenant, of two carucates of land with appurtenances in **Hetton**¹ [*Heaton Norris*], half a carucate of land with appurtenances in **Cherleton**² [*Chorlton*], and two oxgangs of land in **Bradeford**.

Richard remitted his claim in the two carucates of land in Hetton, and in the half carucate in Cherleton to Jordan and his heirs. For this agreement Jordan remitted to his said brother Richard and his heirs, those two oxgangs of land in **Bradeford**, to hold of the chief lord by the service which belonged to that land. But if Jordan should not be able to warrant those two oxgangs to Richard, his brother, then the half carucate should remain to Richard . . . , and Jordan rendered to Richard the charter of Matthew, son of William, which his father had. Concerning that [half carucate of land], Jordan further granted to Richard that the pigs which belonged to his demesne, should run in Hetton wood quit of pannage for ever.

No. 139.—At Westminster, on Friday next after the Invention of the Holy Cross, 7 Richard I. [10th May, 1196].

Between Theobald Walter, plaintiff, and the Abbot and monks of Seiz, tenants, by John, a monk of Seiz, put in their place in the Court of the King to win or lose, by the King's writ *de ultra mare*, respecting the advowson of the Churches of **Preston** and **Pulton**, with their chapels and appurtenances.³

Theobald quit-claimed for himself and heirs to the Abbot and monks and their successors, all his right in the advowson of the Church of Pulton with the Church of Biscopham [*Bispham*], and all other their chapels and appurtenances. And the Abbot and

¹ Albert Grelley (1164-1188) gave two carucates of land in Heaton Norris to William le Norreis to hold by the service of 10s. (and by military service?) Richard le Norreis and Jordan, his brother, seem to have been the sons of the said William, whose heirs held the estate in 1212 (*Testa* ii., f. 823).

² Matthew de Haversage, son of William, held four oxgangs of land in Chorlton, of Gospatrick de Chorlton, which he had deraigned by wager of battle (*Testa* ii., f. 826). But before the date of this fine he had chartered them to William(?) le Norreis, father of Jordan and Richard.

³ The churches of Preston and Poulton (*inter alia*) were bestowed by Count Roger the Poitevin upon the Abbey of St. Martin of Sees. But when the Count was banished in 1102, the title of the Abbey became defective, and accordingly Theobald Walter acquired a right in the advowson of these churches, by virtue of the grant of Amounderness to him, by Richard I. in 1194 (p. 3, *note*). The two conflicting interests were separated and apportioned by this final concord.

monks rendered to Theobald and his heirs the advowson and presentation of the Church of **Preston**, with its chapels and appurtenances, so that each parson presented to that Church by Theobald or his heirs, shall pay yearly to the Abbot and monks and to the Prior of Löncastre, ten marks of silver, viz., five marks at Pentecost, and five marks at the feast of St. Martin. And moreover, whenever Theobald or his heirs shall present any parson to that Church, he or they shall certify the Prior of Löncastre in that behalf, eight days before presentation. So that the Prior or his deputy shall be there to receive the fealty of the Clerk to be presented, respecting those ten marks, to be faithfully paid at the stated terms. But if it should happen that the Prior will not concern himself in such presentation, nor send another in his place, notwithstanding that there shall be a Clerk to be presented to that Church, then he who instituted the clerk in that Church, shall receive that fealty. This concord was made in this form with the concurrence and assent of William de Chimilli, Archdeacon of Richmond, in whose Archdeanery the said Churches were situated.

[Endorsement mutilated.]

No. 4.—At Westminster, on Wednesday next after the feast of St. Paul, 10 Richard I. [27th January, 1199].

Between Richard de Frekeltun, plaintiff, by Adam his brother, put in his place, and Roger de Frekeltun, tenant, of the sixteenth part of a mill, and of the sixteenth part of a fishery with appurtenances in **Frekeltun**.¹

Roger granted to Richard and his heirs in perpetuity the multure of his house to the said mill, and the sixteenth part of the fishery with nets, and the sixteenth part of when other men fish there; and Richard quitclaimed the right he had in the said mill and fishery. For this agreement Richard gave Roger marks of silver.

1-12 JOHN.

No. 1.—At Westminster, on the morrow [of the feast] of SS. Simon and Jude, Apostles, 1 John [29th October, 1199].

¹ In and before the year 1201, Roger de Freckleton held one knight's fee in Freckleton, Whittingham, Newton and Elswick, of the barony of Penwortham. His son Richard is returned as holding one car. of land in Thorp, in Leyland hundred, in the year 1212, being then under age and in ward to the Archdeacon of Stafford and William de Harwood; and in the year 1242 he is returned as holding one knight's fee in Freckleton, etc.

Between Amabel, who was the wife of Robert, son of Henry, plaintiff, and Richard, son and heir of the said Robert,¹ tenant, respecting the reasonable dower in the said Robert's estate, and a reasonable share of his chattels, for which she was suing Richard in that Court.

Richard granted to Amabel, in her pure viduity, the whole town of **Knuvesle** [*Knowsley*], with the men and all appurtenances, and also the whole town of . . . with the men and appurtenances, to hold for the term of her life, as her dower. And as to the chattels

¹ Robert de Lathom probably died in the spring of 1199. Richard, his son and heir fined for his relief 10 marks and two palfreys, before Easter, 1201 (*Pipe Roll*, p. 136). Amabel, widow of Robert de Lathom, who was endowed of Knowsley and Anlafs-argh (now Anglezark), by this concord, was probably a second wife. She is called "dau. of Simon" in No. 7, *postea*. Robert de Lathom's first wife was the daughter and heiress of Orm, son of Ailward, and his wife Emma, dau. of Albert Grelley. She brought to her said husband, one knight's fee in Dalton, Parbold and Wrichtington, of which her father had been enfeoffed upon his marriage by Albert Grelley. The manor of Ashton-under-Lyne, given to the said Orm in like manner, descended to the heirs of Orm de Ashton, by his wife, another dau. of Orm, son of Ailward. Possibly a third dau. married Bernard, son of Ailsí of Goosnargh. It has been stated by various authorities, Baines, Ormerod, and many others, that the estate last referred to was Urmston, and not Ashton-under-Lyne. This is a very stupid mistake indeed, because Urmston never belonged to the Grelley family, or to the barony of Manchester, but was held by a local family, bearing the name of their estate, of the heirs of Ranulf de Marsey in 1212, and in after years, first of William, Earl Ferrers, and afterwards of Edmund, Earl of Lancaster. It is to be hoped that this glaring and oft-repeated mis-statement will be heard of no more.

All the pedigrees of the Lathom family trace the acquisition of Knowsley to the marriage of Sir Robert de Lathom, Kt., grandson of the above Richard, to Catherine, dau. and heiress of Robert *de Knowsley*, erroneously so called. What estates she brought her husband I do not know, but Knowsley, Huyton and Torbock were certainly held by Henry, son of Siward, grandfather of the above Richard de Lathom, for one of his sons inherited Torbock, and the other, Robert, inherited Knowsley, in which, after his death, his widow Amabel received her dower. The survey of 1212 records that Richard [de Lathom], son of Robert, held one knight's fee of Roger, Constable of Chester, as of the Barony of the Constable, *i.e.*, Widnes. This was Knowsley, Huyton, and Torbock. Further, in the Perambulation of the Forests in the year 1228, the jurors stated, respecting Croxteth Park, that it had been put in fence, *i.e.*, afforested since the coronation of Henry II., that it belonged to Knowsley, to the heir of Robert, son of Henry [de Lathom]; and that it ought to be disforested according to the tenour of the Charter of the Forests.

The name of the place which cannot be read in the original, is probably Anlaf's argh.

for which she sued, Richard gave her forty shillings sterling, whereupon she released her claim against him, as well respecting dower, as the said chattels.

No. 2.—At Westminster, at three weeks from Holy Trinity Sunday, 1 John [5th July, 1199].

Between Geoffrey Arbalaster, plaintiff, and Peter, son of Robert [de Hackensall],¹ tenant, of four oxgangs of land with appurtenances in **Hacunesho** [*Hackensall*] and **Presho** [*Preesall*], to wit, of the whole estate which Hugh, grandfather of the said Peter, held in those towns, and of the rent of five shillings yearly of the issue of four cows which Geoffrey stated that Peter had from him to farm.

Geoffrey acknowledged the said land with appurtenances in Hacunesho and Presho to be the right of Peter, to hold of him (Geoffrey) and his heirs in perpetuity by the service of free serjeanty, of performing suit to County and Wapentake Courts for the said Geoffrey's land, and of summoning the pleas of Geoffrey's Court in that town² (*sic*), excepting always eighteen acres of land lying near the messuage which was the said Peter's, towards the north; and excepting that messuage which contains two acres, and also excepting a fishery, to wit that which is the nearest to the said messuage, and excepting one acre of meadow, lying to the east of the path which passes through the midst of the *ed-land* called Holm. Which said land, messuage, fishery and meadow shall forever remain to the said Geoffrey and his heirs, free from any claim of Peter and his heirs. Moreover Geoffrey quit-claimed to Peter and his heirs, all his right in the said rent of five shillings. And further be it known, that it shall be lawful for Peter to make two fisheries for his own use, and the use of his heirs, beyond Geoffrey's said fishery, towards the sea.

No. 3.—At Lancaster,³ on the morrow of the Octave of St Luke, the Evangelist, 4 John [26th October, 1202].

¹ King John when he was Count of Mortain (1189-1194), confirmed to Robert, son of Hugh, four oxgangs of land in Preesall and Hackensall, which his father had held, to hold by the free service of free serjeanty. This King John confirmed by charter, dated at Chinon, September 28th, 1199. Two years later the King granted these two townships to Geoffrey Arbalaster, whereupon contention arose between them, which was composed by this concord.

² "Per servicium liberæ serjantiæ sequendi Comitatum et hundredum pro terra ipsius Gaufridi in eadem villa, et summoniendi placita Curie ipsius Gaufridi in eadem villa."

³ Before John, Bishop of Norwich, Hugh Bardulf, John de Gestelings, Master Roger Arundel and William Fitz Richard, Justices in Eyre at Lancaster.

Between Gilbert de Tours (*de Turribus*), plaintiff, and William, son of Robert, tenant, of one carucate of land with appurtenances in **Lofwic** [*Lowick*] and **Vlveston** [*Ulverston*]. An assize of *mort d'ancestor* had been summoned between them.

William acknowledged the carucate of land with appurtenances, to be the right and inheritance of Gilbert, for which acknowledgment Gilbert gave him the said carucate of land with appurtenances, to hold to him and his heirs in perpetuity, of Gilbert and his heirs, by the service of twenty shillings, to be rendered by half-yearly instalments at Easter, and at the feast of St. Michael, for all service except forinsec service. And be it known that William and his heirs shall pay the said twenty shillings to Gilbert and his heirs at Hotton Rocelin.

No. 4.—At Lancaster, on the morrow of the Octave of St. Luke, the Evangelist, 4 John [26th October, 1202].

Between Hugh, son of Edward, plaintiff, and Alan, son of Benedict, tenant, of two oxgangs of land with appurtenances in **Peniton**.¹ An assize of *mort d'ancestor* had been summoned between them.

Alan acknowledged the two oxgangs of land to be the right and inheritance of Hugh, to hold to him and his heirs, of Alan and his heirs in perpetuity, by performing the forinsec service which belongs to two oxgangs of land in the town of Peninton, for all service. And he rendered them to him. For this acknowledgment Hugh gave Alan one pound of cumin.

No. 5.—At Lancaster, on Wednesday next after the feast of SS. Simon and Jude, the Apostles, 4 John [30th October, 1202].

Between William de Rodeclive, plaintiff, and Roger de Middelton, tenant, respecting the advowson of the Church of **Radeclive** with appurtenances. An assize of last presentation had been summoned between them.

Roger acknowledged the advowson of the said Church to be the right and inheritance of William. And he rendered it to him, quit-claimed by himself and his heirs. For this acknowledgment William gave Roger three shillings sterling.

No. 6.—At Lancaster, on Thursday next after the feast of All Saints, 4 John [7th November, 1202].

Between Ysolt, who was the wife of Robert, plaintiff, and Richard, son of Robert, tenant, respecting the reasonable dower which she claimed in the free tenement which belonged to Robert her husband in **Thorenteleg**.²

¹ Pennington, in Furness. See *Coucher of Furness*.

² Thornley, par. of Chipping.

Richard acknowledged the service which he had rendered to the King, and the King, in return, granted him a pension of £100 per annum, which Richard took the opportunity to pay to the King's household. Richard also granted a pension of £100 per annum to the King's household, which he took the opportunity to pay to the King's household. Richard also granted a pension of £100 per annum to the King's household, which he took the opportunity to pay to the King's household. Richard also granted a pension of £100 per annum to the King's household, which he took the opportunity to pay to the King's household.

No. 10. Richard, King of England, granted a pension of £100 per annum to the King's household, which he took the opportunity to pay to the King's household.

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Richard gave Agnes one oxgang with appurtenances, of the said three oxgangs, to wit that which was Eweward's, son of Siward, to hold to her and her heirs in perpetuity, by forinsec service to be performed for the same for all service. Furthermore, Richard gave Agnes one mark of silver.

No. 9.—At Lancaster, on Thursday next after the feast of SS. Simon and Jude, the Apostles, 4 John [31st October, 1202].

Between John, son of Vhtred, plaintiff, and Elias de Wenigton,¹ tenant, of two oxgangs of land with appurtenances in **Wenigton**.² An assize of *mort d'ancestor* had been summoned between them.

John remitted his right to Elias and his heirs in perpetuity. For this quit-claim Elias gave him three shillings sterling.

No. 10.—At Lancaster, on Monday next after the feast of All Saints, 4 John [4th November, 1202].

Between Sigrîd, widow of Gilbert, son of Ketel, plaintiff, and John, son of Finthor, tenant, respecting the reasonable dower which she claimed in the free tenement which was Gilbert's, her husband, in **Gersingeham** [*Gressingham*].

John acknowledged that the third part, of two parts of one oxgang of land with appurtenances, to wit the third part of all his portion with appurtenances in Scathekholm towards the south, and the third part with appurtenances in Fite towards the south, and the third part with appurtenances in Holm towards the south, and the third part of Escrig with appurtenances towards the south, and the third part of the crofts, which are towards Ulvesthweit on the southernmost side, were the right and dower of Sigrîth, to hold all her life in the name of dower. For this acknowledgment she gave him two shillings sterling.

No. 11.—At Westminster, on Tuesday next after the Conversion of St. Paul, 4 John [28th January, 1203].

Between William, son of Edith, plaintiff, and Benedict Gernet,³ tenant, by Richard de Fiskwic, put in his place, &c., respecting one carucate of land with appurtenances in **Ekeleston**.⁴ An assize of *mort d'ancestor* had been summoned between them.

¹ A tenant of Roger de Montbegon in Farleton, in 1212. (*Testa*, ii, f. 832).

² Wennington, in the par. of Melling, Lonsdale Hundred.

³ Benedict Gernet was Chief Forester of Lancashire. Two carucates in Ekeleston were members of his Forest fee. The carucate referred to here appears to be the same as that held in 1252 by Wariu de Walton of Roger Gernet by the services of 4s. and suit of court.

⁴ Ekeleston, in Leyland Hundred.

William remitted his claim in that carucate to Benedict and his heirs in perpetuity, except one oxgang and the third part of an oxgang of land with appurtenances in Ekeleston, between Earwe [*Yarrow river*] and Waleton, which Benedict granted to William and his heirs to hold in perpetuity, in like manner as the mother of the said William held it at the time of her death, rendering yearly for the same sixteen pence, to wit, at Pentecost eight pence, and at the feast of St. Michael eight pence for all service, saving forinsec service. For this quit-claim Benedict gave William two marks of silver. Furthermore, Benedict granted to William and his heirs, common of all his pasture for his beasts, and acquittance of pannage of all his own pigs in the pasture and wood belonging to the said town of Ekeleston.

No. 12.—At Lancaster, on Tuesday next after the feast of All Saints, 4 John [5th November, 1202].

Between Alan, son of Benedict, plaintiff, and Herbert de Elhal, tenant of half a carucate of land with the appurtenances in **Thornebuthwait**.¹ A grand assize had been summoned between them.

Herbert acknowledged the land to be the right and inheritance of Alan, and rendered it to him and his heirs in perpetuity. For this acknowledgment Alan gave Herbert 12 marks of silver.

And let it be known that Adam de Hielande, and Leising de Coleton and their heirs, shall hold the said land of Alan and his heirs by the same service by which they formerly held of the said Herbert.

No. 13.—At Lancaster, on Monday next after the feast of All Saints, 4 John [4th November, 1202].

Between Henry, son of Bernard, plaintiff, and Alan de Windhull and Agnes his wife,² tenants of an oxgang of land with the appurtenances in **Ribbecestre**. An assize of *mort d'ancestor* had been summoned between them.

Alan and Agnes acknowledged the oxgang of land to be the right and inheritance of Henry, to hold to him and his heirs in

¹ This seems to be Nibthwaite, the appellative syllable "Thor" having been lost. By this fine the tenant of the land, Herbert de Elle, released his right to Alan de Pennington, son of Benedict. But Adam de Yealand and Leising de Colton who had been tenants under Herbert, now became tenants under Alan.

² Cf. No. 32 *postea*. Amabel, dau. of Alan de Windle and Agnes his wife, married Walter de Moton. (*Coucher of Whalley*, p. 868).

perpetuity by the service of 12 pence yearly, to be rendered at the feast of St. Giles, for all service saving forinsec service. And they rendered it to him. For this acknowledgment Henry gave to Alan one pound of cumin.

No. 14.—At Lancaster, on Tuesday next after the feast of All Saints, 4 John [5th November, 1202].

Between Uhtred de Chyrche, plaintiff, and Matthew de Hollande,¹ tenant of 14 oxgangs of land with the appurtenances in Hollande.

Uhtred quit-claimed all his right in the said 14 oxgangs of land to Matthew and his heirs in perpetuity. For which Matthew gave him 6 marks of silver.

No. 15.—At Lancaster, on Tuesday next after the feast of All Saints, 4 John [5th November, 1202].

Between Ellen, who was the wife of Richard, son of Gospatrick, plaintiff, and Gospatrick de Charlton, tenant, respecting the reasonable dower which she claimed in the free tenement which belonged to the said Richard, her husband, in Cherleton.

Ellen quit-claimed all her right in the said dower to Gospatrick and his heirs in perpetuity. For this he gave her one oxgang with the appurtenances, of two oxgangs of land which A[u]stin de Cherleton held, to wit, that which lies towards the east, and he gave her 4 sellions of land with the appurtenances in exchange for the moiety of the capital messuage which belonged to the oxgang of land which Gospatrick gave her, to wit, 2 sellions which lie next to Jordan's ditch towards the south, and 2 sellions near the said Jordan's sellion towards the south, to hold for her life in the name of dower, performing forinsec service for all service.

No. 16.—At Lancaster, on Tuesday next after the feast of All Saints, 4 John [5th November, 1202].

Between Akarias de [Oust]wick,² plaintiff, and William de Tunstall, and Thomas his son, tenants, by the said Thomas put in the said William's place, etc., of 100 acres of land with the

¹ Matthew de Holland, and Alan held 2 car. in Up-Holland in 1212 under Henry de Melling, by ferm of 12s. yearly. (*Testa* ii, f. 812). Perhaps this estate had been "gaged" to Ughtred de Church.

² In Michaelmas Term, 3 John, Gilbert de Notton came to the King's Court and released to Akarias de Oustwic (Austwick, par. Clapham) and his heirs, all claim in three carucates of land with appurtenances in Cancefeld, for which Akarias gave him 6 marks. (*Curia Regis Roll*, No. 25, m. 4 verso).

appurtenances, beyond the stream which runs between **Alnov** and **Tunstall**, and the several meadows of **Canceveld** and **Tunstall**, as far as the stream of Lone.

Akarias quit-claimed his right in the land to William and Thomas and their heirs. And for this quitclaim they granted to him 4 hills (?) to wit, Scaleberge, Herdhappelire, Withekenberg, and Sorithsteinberg, from the brook between Scaleberg and Lethoneberg downwards as that brook runs into Kant,¹ and so upwards by the brook which comes from Watriving and runs down towards Crosseberg, to lie uncultivated for common pasture of all their beasts in Tunstall and Canceveld for ever.

And let it be known that William and Thomas and their heirs, and their men shall cause Lethorneberg, Struteberg, Lathebolt, Thorneberg, and Witeberg, and Langerig to be cultivated to whatever extent they may wish, and the residue which shall be uncultivated shall remain for the common pasture of the beasts as well of Akarias, as of William and Thomas and their men, so that no meadow shall be made in all this aforesaid uncultivated land.

Which common pasture Akarias and his heirs shall hold of William and Thomas and their heirs in perpetuity, by the service of one pound of pepper to be rendered yearly at the Nativity of our Lord for all service. And if it shall happen that William and Thomas, or their heirs shall wish to convert (*attornare*) any other common pasture within the bounds of Tunstall, they shall provide for Akarias and his heirs, reasonable entry to that pasture for the said service.

No. 17.—At Lancaster, on Monday next after the feast of the Apostles Simon and Jude, 4 John [4th November, 1202].

Between Ralph de Reineford, plaintiff, and William Her . . . tenant of three oxgangs of land with the appurtenances in **Reineford**. An assize of *mort d'ancestor* had been summoned between them.

Ralph quit-claimed his right in the land to William and his heirs. And for this quit-claim William gave Ralph three parts, with the appurtenances, of the wood and plain which he had within Blacstaneclohhum and Lannclohhum, and from Blacstaneclohhum upwards to Brokkarelee, and from Brokkarelee to Biri-cheralee, and from Biricherelee Lannclohhum downwards to the pool (*torpens*) of Sanki; to hold to him and his heirs of the said

¹ Cant Beck, from which Cantsfield takes its name.

William and his heirs in perpetuity, by the service of two pence, to be rendered yearly at the Nativity of St. John the Baptist for all service.

And let it be known that Ralph and all his men who shall dwell on that land, shall have common of the whole pasture which belongs to the town of Reineford,¹ as well in wood as in plain, for their beasts, and shall have their pigs acquit of pannage throughout the whole of the said William's wood in Reineford; and likewise William and all his men shall have common of pasture in all Ralph's land, as well in wood as in plain, and shall have their pigs acquit of pannage in the wood which is in that land for ever.

No. 18.—At Lancaster, on the feast of the Apostles Simon and Jude, 4 John [28th October, 1202].

Between Robert, son of Helias, plaintiff, and Ralph de Reineford, tenant of 20 acres of land with the appurtenances in **Wolvemor**. An assize of *mort d'ancestor* had been summoned between them.

Robert quit-claimed his right in the land to Ralph and his heirs in perpetuity, and for this quit-claim Ralph gave him two marks of silver.

No. 19.—At Lancaster, on Wednesday next [after] the feast of the Apostles Simon and Jude, 4 John [30th October, 1202].

Between Uhtred, son of Caruwad', plaintiff, and Richard, son of Robert, tenant of 16 acres of land with the appurtenances in **Lathum**. An assize of *mort d'ancestor* had been summoned between them.

Richard acknowledged the land to be the right and inheritance of Uhtred, to hold to him and his heirs, of Richard and his heirs in perpetuity, by two shillings to be rendered yearly on the morrow of the Nativity of the Blessed Virgin Mary, for all service; and he rendered it to him. For this acknowledgment Uhtred gave him ten shillings sterling.

No. 20.—At Lancaster, on Tuesday next after the feast of the Apostles Simon and Jude, 4 John [29th October, 1202].

Between Adam, son of Mary and Dionisia his wife, plaintiffs, and Richard de Hocwik, tenant of one carucate of land with the appurtenances in **Hocwik**. An assize of *mort d'ancestor* had been summoned between them.

¹ The Lathoms were lords of Rainford, par. of Prescott.

Adam and Dionisia quit-claimed all their right in the land to Richard and his heirs in perpetuity. For this quit-claim Richard gave them half a carucate of land with the appurtenances in Hokwik, to wit, two oxgangs with the appurtenances, which Amabel daughter of John held, and one oxgang which Orme de Hokwik held, and one oxgang which Roger de Hokwic held; to hold free and acquitted from the said Richard and his heirs for ever, performing the service due therefrom to the Abbot of Evesham, the chief lord.

No. 21.—At Lancaster, on the feast of the Apostles Simon and Jude, 4 John [28th October, 1202].

Between Thomas, son of Jordan, plaintiff, and Hugh de Elande, and Uhtred and Michael, tenant (*sic*) of two oxgangs of land with the appurtenances in **Hunnordesfeld**.¹ An assize of *mort d'ancestor* had been summoned between them.

Hugh, Uhtred and Michael acknowledged the land to be the right of Thomas, to hold to him and his heirs, of Hugh and his heirs in perpetuity, by the service of 2s. 8d. to be rendered yearly at the feast of St. Martin for all service, saving forinsec service. And they rendered it to him. For this acknowledgment Thomas gave Hugh one mark of silver.

No. 22.—At York, on Thursday next after the Octave of St. Martin, 4 John [21st November, 1202].

Between William, son of Waldef de Ulverston, plaintiff, and Roger de Hedon, tenant of half a carucate of land with the appurtenances in **Thorwerghes**.² An assize of *mort d'ancestor* had been summoned between them.

William quit-claimed his right in the land to Roger and his heirs in perpetuity. For this quit-claim Roger gave him ten marks of silver.

No. 23.—At Lancaster, on Wednesday next after the feast of the Apostles Simon and Jude, 4 John [30th October, 1202].

Between William, son of Roger,³ plaintiff, and William, Prior of the Hospital of [St. John of] Jerusalem, tenant of one acre of land with the appurtenances in **Bardeseia**. An assize of *mort d'ancestor* had been summoned between them.

¹ Honorsfield or Hundersfield, par. of Rochdale. Hugh de Eland was tenant under Roger, Constable of Chester. See No. 53, *temp.* Hen. III. *postea*.

² Torver, par. of Ulverston. William, son of Waldeve was probably brother of Richard de Tatham, son of Waldeve. See *Lancashire Pipe Rolls*, p. 158.

³ William, son of Roger de Bardsey. See *Coucher of Furness*, *passim*.

William quit-claimed his right in the land to the said Prior and his successors in perpetuity. For this quit-claim the Prior gave him five shillings sterling.

No. 24.—At Lancaster, on Monday next after the feast of the Apostles Simon and Jude, 4 John [4th November, 1202].

Between Thomas de Rawinton, plaintiff, and Alexander de Pulkinton, and William his brother, and Alice his sister, tenants of two and a half oxgangs of land with the appurtenances in **Rowinton**¹ and **Wrdestorn**.² An assize of *mort d'ancestor* had been summoned between them.

Thomas quit-claimed his right in the land to Alexander, William and Alice, and their heirs in perpetuity. For this quit-claim, Alexander granted to the said Thomas one oxgang of land with the appurtenances in Wrdestorn being one of the said oxgangs, to hold to him and his heirs of Alexander and his heirs for ever, by forinsec service for all service.

No. 25.—At Lancaster, on Monday next after the feast of the Apostles Simon and Jude, 4 John [4th November, 1202].

Between Walter de Aldeventon, plaintiff, and Siward de Deukesbiri, tenant of 6 oxgangs of land with the appurtenances in **Adelventon**.³ An assize of *mort d'ancestor* had been summoned between them.

Siward, acknowledged the land to be the right and inheritance of Walter. For this acknowledgment Walter granted the land to him, to hold to him and his heirs in perpetuity, by the service of 3s. 6d. to be rendered yearly at the feast of St. Martin for all service, saving forinsec service.

No. 26.—At Lancaster, on Tuesday next after the feast of All Saints, 4 John [5th November, 1202].

Between Margaret, formerly the wife of Richard de Lancaster, plaintiff, and Robert, son of Bernard, Orme, son of Roger, and Roger, his brother, tenants, respecting the reasonable dower which she

¹ Rivington, par. of Bolton-le-Moors. Alexander de Pilkington held 6 oxgangs there in 1212, in thanage by 10s. yearly. The sons of his uncle held it of him. (*Testa* ii., f. 815-6).

² Worsthorne, near Burnley, par. of Whalley.

³ Adlington, par. of Standish, was part of the estate of 5 carucates given by Warin Bussel to Ranulf de Marsey, son of Roger, in marriage with his daughter. In the year 1288, Hugh de Adlington and Adam de Duxbury each held a moiety of the township, of William, Earl Ferrers by homage, and service of 2s. 9d.

claimed in the free tenement which belonged to the said Richard her husband in **Wrichtington, Perebold, and Dauton**.¹

Margaret quit-claimed her right in the said dower to Robert, Orme, and Roger, and their heirs in perpetuity. For which quit-claim they gave her three marks of silver.

No. 27.—At Lancaster, on Friday next after the feast of St. Luke the Evangelist, 4 John [25th October, 1202].

Between Syrid, daughter of Vivian, plaintiff, and Henry, son of Bernard,² tenant, of 4 oxgangs of land with the appurtenances in **Perebold**. An assize of *mort d'ancestor* had been summoned between them.

Syrid quit-claimed her right in the land to Henry and his heirs in perpetuity. For this quit-claim he gave her 8 shillings sterling.

No. 28.—At Lancaster, on Sunday next after the Octave of St. Luke the Evangelist, 4 John [27th October, 1202].

Between Gilbert de Towers, plaintiff, and William, son of Robert,³ tenant, of one carucate of land with the appurtenances in **Hotunr . . au**.⁴ An assize of *mort d'ancestor* had been summoned between them.

William acknowledged the land to be the right and inheritance of Gilbert, and rendered it to him. For this acknowledgment Gilbert gave him one mark of silver.

¹ Albert Grelley gave one knight's fee in Dalton, Parbold, and Wrichtington to Orm, son of Ailward in marriage with his daughter Emma. The heirs of Orm held this land in 1212 (*Testa* ii., f. 822). In this Fine we have the names of the three heirs, viz., (1) Robert, son of Bernard of Goosnargh, whose three daughters and co-heirs by his wife, Hawise, conveyed his estates in Catterall, Goosnargh and Wrichtington to the families of Catterall, Longford and Mitton. (2) Orm, son of Roger, who was probably Orm de Ashton. His son and heir, Roger, son of Orm was sometimes called "de Wrichtington," but ultimately assumed the name of "de Burton," from an estate acquired in Burton-in-Kendal, from Gilbert Fitz Reinfred (*Cockersand Chartulary*, ff. 68^b. 146^b). (3) Roger, brother of Orm de Ashton. Henry, son of Bernard, who held 4 oxgangs in Parbold (*Vide* next Fine, No. 27), may have been a brother of Robert, son of Barnard (1). In 1242, Robert de Lathom held 1 knight's fee in Dalton, Parbold and Wrichtington; the heirs of the persons above named holding under him, and Henry, son of Richard de Torbock holding Dalton in like manner (*Cf. note* on Fine, No. 1, p. 8).

² See *note* to No. 26. Called Henry de Parbold in the Burscough Register.

³ Cf. No. 3 *supra*.

⁴ Hutton Roof, par. of Kirkby Lonsdale; formerly called Hutton-Randulf, or Hutton Rolf.

No. 29.—At Lancaster, on Wednesday next after the feast of the Apostles Simon and Jude, 4 John [30th October, 1202].

Between Simon Blundel and Sigherid his wife, plaintiffs, and Alan and Benedict de Liddigate,¹ tenants, of two parts (*i.e.*, $\frac{1}{2}$ rd) of two oxgangs of land with the appurtenances in **Gildus** and **Sureheued**. An assize of *mort d'ancestor* had been summoned between them.

Simon and Sigherid, his wife, quit-claimed their right in the land to Alan and Benedict and their heirs in perpetuity. For this quit-claim Alan and Benedict gave them 16 shillings sterling.

No. 30.—At Lancaster, on Sunday next after the Octave of St. Luke the Evangelist, 4 John [27th October, 1202].

Between Alexander, son of William,² plaintiff, and John and Geoffrey, sons of Robert, tenants of two oxgangs of land with the appurtenances in **Neubold**. An assize of *mort d'ancestor* had been summoned between them.

John and Geoffrey acknowledged the land to be the right and inheritance of Alexander. For this acknowledgment Alexander gave this land to Geoffrey, to hold to him and his heirs in perpetuity, by the service of two shillings to be rendered yearly at the feast of St. Martin for all service, saving forinsec service.

No. 31.—At Lancaster, on Monday next after the feast of All Saints, 4 John [4th November, 1202].

Between Matilda, formerly the wife of Ralph Dagun,³ plaintiff, and Thomas the Parson, and Adam the Clerk of Middleton, and Avice, wife of Ranulph the Parson, Matthew de Colwe, Thomas Chanceben, William, son of Ranulph, and Matthew de Quike, tenants, respecting the reasonable dower which she claimed in the

¹ Benedict, son of Simon, and Alan, his brother, held six oxgangs in Lydiate of William le Boteler in 1212, as of the barony of Warrington. (*Testa* ii., f. 810).

² Alexander, son of William de Vilers of Newbold, par. Kinalton, co. Notts. His brother, John de Vilers held one knight's fee in Newbold and Owthorpe, of the Botelers of Warrington in 1242, as of the Honour of Lancaster. (*Thoroton's Hist. of Notts.* i, p. 154).

³ According to the survey of 1212, Ralph Tagun held 4 oxg. of William de Nevill, in the un-identified district called Kaskenmoor. (*Testa* ii., f. 825). He was deceased at the date of this concord. Award Tagun was a juror for Salfordshire, upon the inquest of 1242. I am inclined to identify him as the Alward de Aldholm (Oldham), who between 1212-1242 held 2 oxg. in Vernet (Werneth) for 19d. and half a farthing. (*Testa* ii., f. 665). The free tenement above referred to is Sholver, a hamlet to the north of Oldham.

free tenement which belonged to the said Ralph, her husband, in **Solhver** [*Solver*].

Matilda quit-claimed all her right in the land to Thomas, Adam, Avice, Matthew, Thomas, William, and Matthew, and their heirs in perpetuity. For this quit-claim they gave her thirty shillings sterling.

No. 32.—At Lancaster, on Sunday next after the feast of All Saints, 4 John [3rd November, 1202].

Between John, son of Robert, plaintiff, and Alan de Windhul and Agnes, his wife, tenants of one oxgang of land with the appurtenances in **Ribbecestre**.¹ An assize of *mort d'ancestor* had been summoned between them.

Alan and Agnes acknowledged the land to be the right and inheritance of John, to hold to him and his heirs in perpetuity, by the service of 12 pence to be rendered yearly at the feast of St. Giles for all service, saving forinsec service. And they rendered it to him. For this acknowledgment John gave Alan one pound of cumin.

No. 33.—At York, on Sunday next after the Octave of St. Martin, 4 John [24th November, 1202].

Between Henry de Fiskwic and Matilda, his wife, plaintiffs, and Roger de Leicestre, tenant of one carucate of land with the appurtenances in **Ribelton**. An assize of *mort d'ancestor* had been summoned between them.²

Roger acknowledged the land to be the right of the said Henry and Matilda, and granted it to them, to hold to them and their heirs in perpetuity, by the service of ten shillings to be rendered yearly, to wit, at the feast of the Nativity of our Lord, 2s. 6d.; at Easter, 2s. 6d.; at the Nativity of St. John the Baptist, 2s. 6d.; and at the feast of St. Michael, 2s. 6d., for all service, saving forinsec service. For this grant Henry and Matilda gave him four marks of silver.

No. 34.—At York, on Saturday next after the Octave of St. Martin, 4 John [23rd November, 1202].

Between Alexander, son of Ulf de Hiton, plaintiff, and Roger de

¹ Cf. No. 13, *supra*.

² Henry de Holland bought the wardship and marriage of the dau. of Henry de Ribbleton in 1201. (*Lancashire Pipe Rolls*, p. 141). He held the estate in chief of the King in 1212, for 8s., but had enfeoffed Roger de Leicester. Matilda was probably the ward in question, and had been married to Henry de Fishwick.

Heton, tenant of four oxgangs of land with the appurtenances in **Urswic**. An assize of *mort d'ancestor* had been summoned between them.

Roger acknowledged the land to be the right of Alexander. For this acknowledgment Alexander granted the said land to Roger and his heirs, to hold of Ulf, father of the said Alexander, by the service of 5s. 4d. yearly for all service, to wit, 2s. 8d. at Easter and 2s. 8d. at the feast of St. Michael. And after the decease of Ulf, Roger and his heirs shall hold the land of Alexander and his heirs in perpetuity, by the aforesaid service. For this grant Roger gave Alexander ten marks of silver.

No. 35.—At Lancaster, on the feast of the Apostles Simon and Jude, 4 John [28th October, 1202].¹

Between Henry de Pulkinton, plaintiff, and Alexander de Pulkinton, tenant of three oxgangs of land with the appurtenances in **Revington** and **Wortheasthorn**.² An assize of *mort d'ancestor* had been summoned between them.

Henry quit-claimed all his right in the land to Alexander and his heirs in perpetuity. For this quit-claim Alexander gave him one mark of silver.

No. 36.—At Westminster, in three weeks from Easter, 5 John [16 May, 1204].

Between Gilbert fitz Reimfrei and Hawise his wife, plaintiffs, by Hugh le Spicer put in their place, and Hugh de Letewelle, tenant, by William de Paris, put in his place, of the sixth part of two carucates of land with the appurtenances in **Scoteford** and **Natebi**.³

Hugh acknowledged the land to be the right of Hawise and remitted it to the said Gilbert and Hawise, and to the heirs of Hawise in perpetuity. For this acknowledgment they gave him 17 marks of silver.

¹ This is the last Final Concord of the series, which belongs to the eyre of John, Bishop of Norwich and his associates at Lancaster, from 25th October to 7th November, 1202. (*Lancashire Pipe Rolls*, p. 162).

² Cf. No. 24, *supra*.

³ In Mich. Term, 5 John, in the King's Court, a day was given on the quindene of Mich. to Hugh Speciarus, attorney for Gilbert fitz Reinfred, and to William de Paris, attorney for Hugh de Littlewell, in a plea respecting the sixth part of two carucates of land in Scotford and Nateby. Hugh de Littlewell prayed for a view of the land. A day was given them on the quindene of St. Hilary. Subsequently concord was made as above. (*Curia Regis Roll*, No 32).

No. 37.—At Westminster, in three weeks from Holy Trinity, 6 John [11th July, 1204].

Between William, Prior of Lancaster, plaintiff, by Master Benedict, put in his place, and Peter de la Hulle,¹ tenant of four oxgangs of land with the appurtenances in **Hull**.²

Peter acknowledged the land to be the right of the Prior and Church of St. Mary of Lancaster. For this acknowledgment the Prior granted the said land to Peter to hold for life, by the free service of half a mark yearly, for all service and demand of the said Prior and his successors, to be rendered at the two terms, to wit, at the feasts of St. Martin 40d. and at Pentecost 40d. After Peter's decease the land to revert to the Prior and his successors, quit of all claim by the heirs of the said Peter for ever.

No. 38.—At Westminster, [date mutilated].

Between Gilbert fitz Reinfred and Hawise his wife, plaintiffs, by Adam, son of Roger, put in their place, and Juliana de Scozford, tenant, by Nicholas de Lacton, put in her place, of the sixth part of three carucates of land with the appurtenances in **Scozford and Nateby, and in Burgh**.³

Juliana acknowledged the land to be the right of Gilbert and Hawise and quit-claimed it to them and the heirs of Hawise in perpetuity. For this acknowledgment they gave her 17 marks of silver.

No. 39.—At Westminster, on the Quindene of St. Michael, 6 John [13th October, 1204].

Between Roger, Abbot of Evesham, plaintiff, by William de Capes put in his place, and Robert, son of Geoffrey,⁴ tenant of three oxgangs of land and a messuage with the appurtenances in **Penwrtham**.

Robert acknowledged the land and messuage to be the right of the Abbot and Church of St. Egwin of Evesham. For this acknowledgment the Abbot granted the land and messuage to

¹ Cf. the charter of Peter, son of William de Hoole, to the prior and monks of Lancaster, containing his declaration to adhere to the above Fine. (*Reg. of Lancaster Priory*, p. 31).

² Much Hoole, in Leyland hundred.

³ Scotforth, par. Lancaster; Nateby, par. Garstang; Burrow, par. Tunstall. (Cf. No. 36, *supra*.)

⁴ Robert de Longton, son of Geoffrey Bussel. The land was that which had been given by Warin Bussel to the Abbey of Evesham. (*Testa ii*, f. 817.)

Robert and his heirs, to hold of the Abbot and his successors in perpetuity, by the free service of five shillings yearly for all service, to be rendered at the Assumption of the Blessed Mary. For this grant Robert gave the Abbot five marks of silver.

No. 40.—At the Exchequer, London, on Thursday next after the feast of St. Luke the Evangelist, 7 John [20th October, 1205].

Between Robert Gresley, plaintiff, by Theobald Hautein put in his place, and Richard de Pierpont, tenant of 40 acres of wood with the appurtenances in **Lostok** and **Rumwrth**. A jury of grand assize had been summoned between them.¹

Richard acknowledged the wood to be the right of Robert, and rendered it to him. For this acknowledgment Robert gave him a gold ring.

No. 41.—At Lancaster, on Sunday next after the feast of St. Matthias the Apostle, 7 John [26th February, 1206].

Between William, Abbot of Leicestre, plaintiff, and Peter de Stalemin, tenant of two oxgangs of land with the appurtenances in **Kokerheim**.²

Peter acknowledged the land to be the right of the Abbot, and of his Church of Leicestre, and remitted it to him and to his successors, and to his church of Leicestre. For this acknowledgment the Abbot gave him thirty shillings sterling. And be it known that Peter has acknowledged that he has no charter thereof from William de Lancaster. Wherefore if he or his heirs should hereafter proffer any charter, it shall be held of no effect.

No. 42.—At Westminster, on the Octave of Holy Trinity, 8 John [4th June, 1206].

Between Siward de Langetre, plaintiff, and Ralph de Stanedis, tenant of one carucate of land with the appurtenances in **Langetre**, and one carucate of land with the appurtenances in **Stanedis**.³

¹ This suit was commenced in Mich. Term, 5 John. Richard de Pierpont prayed for a grand assize, whereupon Ranulf de Marsey, son of Roger, Roger de Middleton, Richard de Worsley and William de Turtou were appointed to elect twelve to form the grand assize.

² Cockerham, a par. in the hundred of Lonsdale. The whole manor had been given to the Abbey of Leicester by William de Lancaster I, which Henry II confirmed in January, 1156.

³ This suit was commenced in Hilary Term, 6 John. At Easter, 1206, Ralph de Standish proffered one mark for licence to concord. (*C. R. Roll*, No. 42.

The carucate of land in Langetre, and the moiety of the advowson of the church of Stanedis, and the moiety of common of the wood of Stanedis, in all matters and liberties appurtenant to that wood, together with 16 acres of assarted land in that town, near the said wood towards the north, shall remain to Siward and his heirs, quit of any claim by Ralph and his heirs for ever. The carucate of land in Stanedis, with the other moiety of the advowson of the church of that town, and the other moiety of common of wood of that town in all matters and liberties, together with 16 acres of assarted land on the south side of Stanedis church, shall remain to Ralph and his heirs, quit of any claim by Siward and his heirs for ever.

And be it known that neither of them shall have power hereafter to make any assart in the wood of Stanedis without the consent of the other. Any chirograph previously made between them respecting this land to be altogether of no effect.

No. 43.—At Westminster, on the Quindene of Holy Trinity, 8 John [11th June, 1206].

Between Henry de Kelet,¹ plaintiff, by Hugh Le Specier put in his place, and Matilda, daughter of Uhtred, tenant, by Adam her son, put in her place, of one carucate and a half of land with the appurtenances in **Kellet**, and half a carucate of land with the appurtenances in **Bar**.

Henry quit-claimed his right in the land to Matilda and her heirs in perpetuity. For this quit-claim Matilda gave him five marks of silver.

No. 44.—At Westminster, in three weeks from Easter, 8 John [13th May, 1207].

¹ In the quindene of Easter, 1206, in the King's Court, Matilda, dau. of Ughtred puts Adam, her son in her place *versus* Henry de Kellet, in a plea of land. Henry puts Hugh le Spicer in his place. (*C. R. Roll*, No. 42, m. 10 *dorso*). Matilda, dau. of Humphrey (*sic*) de Kellet gives $\frac{1}{2}$ m. for licence to concord with Henry de Kellet, respecting the land of Kellet. Henry pays a like sum. (*Ibid.* m. 13). Matilda was the widow of Adam de Kellet, son of Orm. By this fine she recovered $1\frac{1}{2}$ car. in Upper Kellet, and $\frac{1}{2}$ car. in Bare, which she held in thanage for 15s. 6d. yearly service. William de Kellet, who died c. 1200, held $1\frac{1}{2}$ car. in Upper Kellet, 1 car. in Claughton, and $\frac{1}{2}$ car. in Bare in thanage for 19s. 6d. yearly. To him succeeded Henry de Kellet, either as eldest son, or as guardian of Gilbert, who succeeded as son and heir of William in 1211. It seems probable that the wife of William de Kellet, and the said Matilda were co-heiresses of these estates, which were partitioned between their respective heirs.

Between Gilbert, son of Roger fitz Reinfred, and Hawise, his wife, plaintiffs, by Adam de Hieland, put in their place, and Paul, Abbot of Leicestre, and the Convent of the same place, tenants of two carucates of land with the appurtenances in **Cokerheim**¹ and **Crimbles**. An assize of *mort d'ancestor* had been summoned between them.

Gilbert and Hawise lovingly, and for the souls of their ancestors, quit-claimed to the Abbot and Convent, and to their successors, all right in the said land from themselves and their heirs in perpetuity. The Abbot and Convent lovingly agreed, at the petition of Gilbert and Hawise, and of the heirs of Hawise, to appoint at the present time three canons in their church of Cokerheim, and when Reginald, chaplain of the same church shall die, the said Abbot and Convent and their successors will appoint in the said church four canons, and so for ever.

No. 45.—At Westminster, on the Quindene of St. Michael, 8 John [13th October, 1206].

Between William, Abbot of Leicestre, plaintiff, by brother Peter his canon, put in his place, and Herbert de Elhale, tenant of two oxgangs of land with the appurtenances in **Crumles** [*Crimbles*].²

Herbert acknowledged the land to be the right of the said Abbot, and of the church of St. Mary de Pratis of Leicestre, and remitted it to him and his successors in perpetuity. For this acknowledgment the Abbot gave him 5½ marks of silver.

No. 46.—At Westminster, on the Quindene of Easter, 9 John [20th April, 1208].

Between Adam, son of Roger, and Herbert de [Elhale, by . . .] de Geersteng, put in his place, respecting two oxgangs of land with the appurtenances in **Elhale**, and half a carucate of land with the appurtenances in **Thornubythueitht**

¹ The origin of the dispute between the heirs of William de Lancaster II, and the Abbots of St. Mary of Leicester, respecting the manor of Cockerham, has been fully dealt with in the Introduction to the *Chartulary of Cockerham Abbey*. This Fine records the final settlement of the dispute.

² On the Octave of St. Michael, 8 John [6th Oct., 1206], in the King's Court, at Westminster, Herbert de Elhale gives ½ m. for license to concord with the Abbot of Leicester, respecting two oxgangs of land in **Crumles** (*Crimbles*). (*C. R. Roll*, No. 43, m. 5.)

[*Nibthwaite*]. A plea of warranty of charter had been summoned between them.¹

Herbert warranted to Adam the said land, and the charter thereof which Grimbald de Elhal, father of Herbert, made to Roger, son of Adam, father of the said Adam, in these words—

“Know all men, present and to come, that I Grimbald de Elhale have given and granted, and by this my present charter confirmed to Roger, son of Adam and his heirs, two oxgangs of land with the appurtenances in Elhale, and half a carucate of land with the appurtenances in Thornubythueith, with Sunneva my daughter in frank marriage; to hold of me and my heirs, to him and his heirs of the said Sunneva issuing, freely and quietly, peacefully and honourably, with all easements and liberties thereunto appertaining. And when it shall happen that service ought to be performed respecting that marriage, he who shall hold that land, and his heirs, shall render to me and my heirs for all service and demand, one pound of cumin at the feast of St. Michael.”

For this warranty and agreement Adam gave Herbert three marks of silver.

No. 47.—At Westminster, on the Quindene of St. Michael, 9 John [13th October, 1207].

Between Albrea de Tyllly, plaintiff, by Richard de Ketelewell put in her place, and Henry de Blakeburne, tenant of the third part of two carucates of land with the appurtenances in **Wisewell**, which the said Albrea claimed to be her reasonable dower of the gift of William de Arches formerly her husband, in the said town.²

¹ On the Octave of St. Michael, 9 John [6th Oct., 1207], in the King's Court, Adam, son of Roger, by Hugh his attorney, sued Herbert de Elhale, in a plea of warranty of charter of land in Tornbetheweit, which he holds by his father's charter. Herbert did not appear, nor did he essoin himself, although bound by sureties, viz., Gilbert, the Forester, and Thomas, son of Hugh; and afterwards by better sureties, viz., Grimbald de Elhale, and Richard his brother. The Court directed the Sheriff to have them at Westminster on the Octave of St. Hilary to answer their default, &c. (*C. R. Roll*, No. 45, m. 6 *dorso*.) Cf. *Fine* No. 12 *supra*.

² On the Octave of St. Michael, 8 John, in the King's Court, at Westminster, Richard, attorney for Albrey (*Abbroda*) sues Henry de Blakeburn for the third part of two carucates of land with appurtenances in Wiswell, as her dower. Henry being unwilling to reply to her without his warrant, it was ordered that he should have it on the Octave of St. Hilary. Richard says that it is in the custody of Alan de Arches, and requests

Henry acknowledged the said third part to be the reasonable dower of Albrea. For this acknowledgment she granted the same to him and his heirs, to hold of her during her life by free service, rendering yearly one sparrow hawk at the feast of St. James for all service. And for this grant he gave her 5 marks of silver. And be it known that the sparrow hawk shall be a sor, and sound (*sorus et integer*).

No. 48.—At Westminster, on the Quindene of Easter, 9 John [20th April, 1208].

Between Hugh de Moretuyn and Magaret his wife, by Henry the porter, put in Margaret's place, and Richard le Boteler, of one oxgang of land with the appurtenances in Warton, and the service of four oxgangs of land with the appurtenances in the same town. A plea of warranty of charter had been summoned between them.¹

Richard warranted to Hugh and Margaret the said land and service, and the charter thereof, which Quenild, mother of Richard, made to the said Margaret, in these words—

“Know all men present and to come, that I Quenild de Wartun, with the assent and consent of Richard le Boteler, my heir, have given and granted, and by this my present charter confirmed to Margaret, daughter of Richard, son of Roger, for her homage and service, one oxgang of land with the appur-

the assistance of the Court, which is granted. (*C. R. Roll*, No. 43, m. 11). William de Arches, the husband of Albrey, had a confirmation from Robert de Lacy (c. 1175-1193) of privileges, which the latter's ancestors had granted to his predecessors in Wiswell, Hapton, and Osbaldeston, (*Hist. of Whalley* ii., p. 57, edit. 1876). Henry de Blackburn appears to have been enfeoffed of the manor of Wiswell by “de Arches.” In 1242 Adam de Blackburn and Roger de Arches held $\frac{1}{2}$ knight's fee in Wiswell and Hapton of the Honour of Clitheroe. (*Testa* ii., f. 788’.

¹ On the Octave of St. Michael, 9 John [6 Oct. 1207], in the King's Court, a day is given to Henry, the Porter, attorney for Hugh de Mortoin, and Margaret his wife, and to Richard le Botiler, in a plea of warranty of charter of one oxgang of land, and of the service of four oxgangs of land in Warton (near Preston in Amounderness), upon the Octave of St. Martin. Note that the attorney of Hugh and Margaret state that they are in seisin of that land, and Richard says that he is in seisin; also that the writ speaks of five oxgangs, but in the pleading they sue only for warranty of one oxgang. (*C. R. Roll*, No. 45, m. 3). A day is given to Hugh Morton, by Henry his attorney, and Richard le Botiler, at the request of the parties, on the Quindene of St. Hilary (*Ibid.* m. 7 verso). Cf. *Cockersand Chartulary*, s.t. Warton, p. 191.

tenances in Wartun, to wit, that oxgang which Gospateric held. Moreover, I have given and granted to the said Margaret, all the service of Stephen le Boteler and his heirs from four oxgangs of land, which ought to be made to me. To hold of me and my heirs, freely and quietly, performing so much knight's service as belongs to five oxgangs of land, when nine carucates make the service of one knight, for all service."

For this warranty Hugh and Margaret gave Richard one mark of silver.

No. 49.—At Derby, on Monday next before the Ascension of our Lord, 10 John [4 May, 1209].

Between Walter, son of Swain, plaintiff, and W[illiam], Abbot of Leicestre, tenant of one oxgang of land with the appurtenances in **Crumeles**.

Walter acknowledged the said oxgang to be the right of the Abbot, and of his church of Leicestre, and quit-claimed, and will warrant it to the Abbot and his successors, and to his said church in perpetuity. For this acknowledgment Grimbald, son and heir of Herbert de Elhal, who formerly granted and quit-claimed that oxgang to the Abbot in the court of the Lord the King,¹ gave Walter 8½ marks of silver.

No. 50.—At Lancaster, on Sunday next after the feast of St. Michael, 10 John [5th October, 1208].

Between Siward de Derewent, and Juliana his wife, plaintiffs, and William de Reineford, tenant of three oxgangs of land with the appurtenances in **Reineford**.² A jury of grand assize had been summoned between them.

Siward and Juliana acknowledged the land to be the right of William. For this acknowledgment William gave and granted to Siward and Juliana ten acres of that land, with a share of the new cultivation between the place called Bicswahe and the ford (*vadus*) of Holecroft, to hold to them and the heirs of Juliana, of him and his heirs, by the free service of sixpence to be rendered yearly at the Assumption of the Blessed Mary, for all service.

No. 51.—At Lancaster, on Sunday next after the feast of St. Michael, 10 John [5th October, 1208].

¹ Cf. Fine No. 45, *supra*.

² Rainford, par. of Prescott, was held in socage by Sir Robert de Lathom, before 1321, of Thomas, Earl of Lancaster, by homage and fealty, and by no other service. (*Birch Feodary*).

Between Helen, formerly the wife of John de Heselrigg, plaintiff, and Ralph de Heselrigg, tenant of the third part of two carucates and 13 acres and a half of land with the appurtenances in Heselrigg,¹ which Helen claimed against Ralph in dower, of the gift of the said John, formerly her husband.

Ralph acknowledged the said third part to be the dower of Helen, to hold of him and his heirs, rendering yearly 3 shillings at two terms, to wit, at Pentecost and the feast of St. Martin, for all service. For this acknowledgment Helen quit-claimed to Ralph her right in the name of dower in seven score sheep, with the whole of their issue for 14 years, and in all the corn and household goods, which belonged to the said John, formerly her husband.

No. 52.—At Knareburch, on Thursday next after the feast of St. Mark the Evangelist, 10 John [30th April, 1209].

Between Reiner, son of Ralph, plaintiff, and Eudo de Lungvillers, tenant of 4 oxgangs of land with the appurtenances in **Bridestwisel**.² An assize of *mort d'ancestor* had been summoned between them.

Reiner acknowledged the land to be the right of Eudo. For this acknowledgment Eudo gave and granted to Reiner three oxgangs of the said land, towards the east, to hold to him and his heirs, of Eudo and his heirs by the service of 6 shillings to be rendered yearly on St. Giles' day, for all service saving forinsec service. So that Eudo and his heirs shall acquit Reiner and his heirs from all service to the chief lords for that land. And for this grant Reiner quit-claimed to Eudo and his heirs in perpetuity, all right in the fourth oxgang of the said four oxgangs, to wit, in that which is towards the west. So that 20 acres of land which Thomas, son of Gospatric, formerly held, part of the said four oxgangs, are computed to Eudo in his oxgang, which remains to him; for which 20 acres Reiner and his heirs shall have 20 acres of that oxgang, which remains to Eudo towards the west.

¹ This is probably a Northumberland Fine, made before the Justices of Assize at Lancaster, viz., Adam de Port, Simon de Patshull, Henry fitz Hervey, Robert de Perci, Alexander de Pointon, Henry de Northampton, Ralph Hareng and Geoffrey de L'Isle. They appear to have heard pleas at Lancaster during the week commencing 5th Oct., and again during that commencing 7th Dec., 1208.

² For an account of Bridtwisle, in Hapton township, see *Hist. of Whalley*, ii., p. 58.

No. 53.—At Lancaster, on Sunday next after the feast of St. Nicholas, 10 John [7th December, 1208].

Between Alice de Haggethorp, plaintiff, and Alice de Windeg, tenant by Adam de Yeland put in her place, of half a carucate of land with the appurtenances in **Haggestorp**.¹

Alice de Haggetorp quit-claimed to Alice de Windeg and her heirs all right in the land. For this quit-claim the latter gave the former three marks of silver, and one cow of the price of 5 shillings.

No. 54.—At Lancaster, on Sunday next after the feast of St. Nicholas, 10 John [7th December, 1208].

Between Richard de Heggefild and Godith his wife, by the said Richard put in Godith's place, and Thomas [T]honestal, and Matilda his wife, by the said Thomas put in Matilda's place, and Ingrid, John, and Acarias, by Benedict the priest put in Ingrid's place, plaintiffs, and Hugh de Morewic, of the rent and multure of six carucates of land with the appurtenances in **Farletones** and **Cancefeld**.²

This Fine seems to relate to Hackthorp, par. of Lowther, co. Westmorland, which at one time was a member of the Barony of Kendal.

² Adam de Montbegon gave to Geoffrey de Valoines 6 car. of land in Farleton and Cantsfield, to hold by military service. This estate was a member of Hornby, which had belonged (*temp.* Henry I.) to Swain fitz Alric (who died before 31 Hen. I.), and to his son, Adam fitz Swain (1130-1159), one of whose daughters, Matilda, brought Hornby in marriage to Adam de Montbegon. Hugh de Morwich, a reputed Northumbrian baron, had been enfeoffed by Philip de Valoines, brother of Geoffrey, and dying 2 Richard I., was succeeded by his son and heir, Hugh, upon his attaining his majority *circa* 1208. Geoffrey de Valoines died s.p., *circa* 1190. In the 2 Richard I., Philip de Valoines gave £100 for livery of the lands of his brother Geoffrey. In the 9 John, Robert fitz Walter and Gunnora, his wife, dau. and heiress of Robert de Valoines, another brother of Geoffrey, gave 100 m. for an assize of *mort d'ancestor* of her uncle Geoffrey, respecting Farlton, Cantsfield, and Staining, co. Lanc., Newham, co. Northumb., Burton-in-Lonsdale, co. York, and Partney, co. Linc., to be heard before the King, on the Octave of the close of Easter (1208), against Philip de Valoines, who holds those lands. The Sheriff of Lancaster was directed to summon Hugh de Morwich, who holds the manor of Farleton by the gift of the said Philip, and Akaric de Austwick, who holds the manor of Cantsfield, to be there to hear judgment. (*Fine Roll*, 9 John, m. 5). Among the essoins taken before the King, in a month after Mich., 1208, Hugh de Morewich essoined himself *de malo veniendi* against Robert fitz Walter and Gunnora his wife, by Roger de Chivinton, in a plea of land. A postscript states that Robert fitz Walter and Philip de Valoines afterwards made concord. (*C. R. Roll*, No. 62, m. 12). Adam de Watton

John, Acarias and Ingrid quit-claimed from themselves and their heirs, and Richard and Godith, Thomas and Matilda quit-claimed from themselves and the heirs of Godith and Matilda, to Hugh and his heirs, all their right in the multure of three carucates of the said six carucates in Farletones, in perpetuity. For this quit-claim, Hugh remitted to them and their heirs twelve solidates and four denariates of rent, part of thirty-nine solidates of rent, which they ought to pay yearly to him from the manor and mill of Cancefeld, and from the multure of the said six carucates, which they hold of him in Cancefeld and Farletones.

No. 55.—At Lancaster, on Sunday next after the feast of St. Michael, 11 John [5th October, 1208].

Between Sybil and Amiria, daughters of William, plaintiffs, and Adam Banastre, tenant of half a carucate of land with the appurtenances in **Bekaneshou**. An assize of *mort d'ancestor* had been summoned between them.¹

Sybil and Amiria acknowledged the land to be the right of Adam. For this acknowledgment he granted to them the moiety

(Warton ?) essoined himself *de malo veniendi* in an assize of land between Robert fitz Walter and Hugh de Morewich by Richard de Steinfeld. A postscript states that the parties withdrew *sine die*, having made concord. (*Ibid.* m. 12). By writ, dated 27 Dec., 1207, Gunnora had livery of Burton-in-Lonsdale, which descended to her hereditarily upon the death of Emma de Humet, widow of Geoffrey de Valoines. (*Close Roll*, 9 John, m. 10). In the King's Court, at Westminster, Mich. Term, 1208, Philip de Valoines puts in his plea, William, his son, or Thomas de Mantalence, or William, the clerk, in a plea against those who hold the land which formerly belonged to Geoffrey de Valoines in co's. York and Lancaster, which plea he ought to prosecute with Robert fitz Walter, against Robert de Stutevill, Warin de Vesci, and Emma, his wife, Robert de Humet, Ranulf the Falconer, and the Abbot of Furness. (*C. R. Roll*, No. 50, m. 1). So far as Farlton and Cantsfield were concerned, the Court awarded them to Hugh de Morwich, for he, or his son, Hugh, is returned in the Feodary of 1242, as then holding these two manors for the $\frac{1}{4}$ th part of the fee of a knight. This Fine seems to suggest that John, Akarias, Ingrid, Godith, the wife of Richard de Heggefild, and Matilda, the wife of Thomas de Tunstall, were the children and heirs of Akarias de Austwick. (Cf. Fine No. 16, *supra*). Akarias was probably son of Ughtred, son of Gamel de Austwick, who was a witness to various charters of Newby to Furness Abbey in the 12th century. (*Annales Furnesienses*).

¹ Becconsall, consisting of 1 carucate of land, was given to the Hospital of St. John of Jerusalem, temp. Henry I, or Stephen, by Pagan de Villers, lord of Warrington. (*Testa* ii., f. 809.) The Hospital seems to have granted this estate in fee farm at an early period.

of the said land, to wit, that moiety lying towards the south, to hold to them and their heirs, of him and his heirs by the free service of 2s. 6d., to be rendered yearly at the feast of St. Michael for all service. And be it known that no part of the said land, which William, son of Henry held, ought to be comprized in the said moiety, which remains to Sybil and Amiria.

No. 56.—At Lancaster, on Sunday next after the feast of St. Nicholas, 10 John [7th December, 1208].

Between Gilbert fitz Reinfrid and Hawise, his wife, plaintiffs, by Gilbert de Lancaster, put in her place, and Richard Boteler, tenant of one carucate of land with the appurtenances in Clacton.¹ A jury of grand assize had been summoned between them.

Richard acknowledged the land to be the fee and right of Hawise. Moreover he acknowledged a certain other carucate of land with the appurtenances in the said town, to wit, that which Richard, son of Uctred, and Robert de Stanford held, to be the fee and right of Hawise, and quit-claimed from himself and his heirs, to Gilbert and Hawise, and the heirs of Hawise, all right in the said fee and land. So that Adam de Clacton, who held half a carucate of the said land, of Richard by forinsec service for half a carucate of land, where nine carucates with the appurtenances make the service of one knight, for all service, and the heirs of the said Adam; and Michael de Clacton, who held half a carucate of the said land of Richard by the said service, and the heirs of the said Michael; and Walter de Wenequec who held half a carucate of the said land of Richard by the said

¹ Claughton in Amounderness was a member of the Barony of Penwortham, and was held (*temp.* Richard I.), by Roger le Boteler of Warton, father of Richard le Boteler, named in this Fine, under Richard, son of Roger of Wood-plumpton. It does not appear why or how Hawise, who was the only daughter and heiress of William de Lancaster II., recovered this estate from le Boteler. In the year 1252, Quenild, widow of Roger Gernet, died seized of Claughton, which she held of Edmund de Lacy, Earl of Lincoln, by the service of 4th knight's fee, and 2s. 2d. for Castleguard.

From the above Fine it appears that Richard, son of Ughtred, who was succeeded by Walter de Winwick, and he by his son Richard de Claughton, held one fourth part of Claughton; Robert de Staunford, who was succeeded by his son Richard, another fourth part; Michael de Claughton, who was succeeded by his son William, another fourth part; and Adam de Claughton the remaining fourth part. In addition to these the Hospital of St. John of Jerusalem held lands here in almoign. (*See Cokersand Chartulary, s. t. Claughton, p. 253*).

service, and the heirs of the said Walter; and Richard de Stanford, who held half a carucate of the said land of the said Richard by the said service, and the heirs of Richard de Stanford; shall hold the said land of Gilbert and Hawise, and the heirs of Hawise, as they formerly held of Richard Boteler. For this quitclaim Gilbert and Hawise gave Richard Boteler two marks of silver. And be it known that the land belonging to the house of the Hospital of Jerusalem, which the Brethren thereof formerly held of that half carucate, and which the said Adam held, shall be held as they formerly held it.

No. 57.—At Lancaster, on Sunday next after the feast of St. Michael, 10 John [5th October, 1208].

Between Henry de Kellet, plaintiff, and Hugh de Morwic, deforciant, respecting the course of the waters of Solebec and Mikelebec, whereupon Henry complained that Hugh had diverted those waters from their course to the injury of his free tenement in **Clahton** [*Cloughton*, in Lonsdale].

Henry granted for himself and his heirs, that Hugh and his heirs may freely and without hindrance of Henry or his heirs, divert the said waters to their mill of Farleton at their pleasure, and so that they may have the greater easement thereof. For this agreement, Hugh gave him five marks of silver. And Henry and his heirs will warrant the said waters to be so conducted to the said mill, to Hugh and his heirs against all men, in perpetuity.

No. 58.—At Lancaster, on Sunday next after the feast of St. Nicholas, 10 John [7th December, 1208].

Between Stephen de Hamerton, plaintiff, and Hugh de Mitton, tenant of one carucate of land with the appurtenances in **Acton** [*Aighton*]. A jury of grand assize had been summoned between them.¹

¹ The parties to this Fine had been engaged in litigation respecting the carucate of land in Aighton, parish of Mitton (but in co. Lancaster), since Easter Term, 1203. In Mich. Term, 6 John (1204), a day was given to Stephen de Hamerton, plaintiff, and Henry (*sic*) de Mitton, respecting one carucate of land with appurtenances in Hacton, on the Quindene of St. Martin, on account of the default of a knight, because Alan, son of Benedict, essoined himself by William. The same day was given to Elias de Baille, Roger de Middleton, and Roger de Kirkebi, the other knights

Stephen quit-claimed all his right in the land to Hugh and his heirs. For this quit-claim Hugh gave him 14 marks of silver.

No. 59.—At York, on the Quindene of Easter, 10 John [12th April, 1209].

Between Robert Gredley, plaintiff, and Richard, son of Robert, deforciant, respecting the services and customs which Robert claimed from him, for the tenement which he held of Robert

appointed to elect a jury of grand assize. (*C. R. Roll*, No. 33.) In Hilary Term, 1205, a day was given at 3 weeks from Easter, because Roger de Middleton essoined himself by Walter. The other three knights also failed to appear, and the Sheriff was directed to attach them again, but he neither returned the writ, nor the names of the sureties. He was again ordered to attach them, and to come and answer for his neglect. Roger de Middleton essoined himself by Walter de Pilkington. (*Ibid.*, No. 34.) Before the Justices of Assize at Lichfield, in Hilary Term, 1205, Stephen de Hamerton put Thomas de Hamerton in his place to win or lose in the coming Easter Term. (*Assize Roll*, No. 1039, m. 4.) There is no record of the proceedings in Easter and Trinity Terms, but in Michaelmas Term, 1205, Thomas Gernet, attorney for Stephen de Hamerton, essoined himself *de malo lecti*, and another day was given to the parties on the Octave of St. Hilary, 1206. (*C. R. Roll*, No. 40.) The next reference to this suit is found on the Roll for the Quindene of Easter, 1206, as follows—"John, by the grace of God, &c., to the Justices of London, greeting. Know ye that Hugh de Mutton (*sic*) and Stephen de Hamerton, by Thomas Gernet, who declares himself to be Stephen's attorney, appeared before us on the Octave of St. Hilary, respecting a plea of land in Acton, whereof there had sometime been a dispute before us at Westminster, as they declare. And whereas we have no writ, or record of that dispute, we have given them a day before us at 3 weeks from Easter in London, and therefore, &c." (*Ibid.*, No. 42, m. 4, *dorso*.) A day was given to the parties to hear the election of four knights to cause a grand assize to appear at the coming of the Justices. Stephen shall have a writ to the Sheriff of York to cause two knights of that county to be summoned to appear at the coming of the Justices to Lancaster, and the Sheriff of Lancaster to summon two knights from the co. of Lancaster, these four to elect six knights respectively from each county to hold the said grand assize. (*Ibid.*, m. 5 *dorso*.) In due course of time, the above concord was made between the parties, before the Justices of Assize at Lancaster. Thus 5½ years elapsed between the commencement and termination of this suit, a not unusual occurrence at this period, when the machinery of the law was very cumbersome and tedious, and litigants took full advantage of the delays tolerated by the rules of the King's Court.

in **Alreton** [*Allerton*],¹ the which Richard refused to render to him.

Richard rendered to Robert the whole of the tenement, which he held of him, and as he held it of him, and quit-claimed it from him and his heirs, to Robert and his heirs in perpetuity. For this quit-claim Robert gave him 40 shillings.

No. 60.—At Lancaster, on Sunday next after the feast of St. Nicholas, 10 John [7th December, 1208].

Between Helias de Bilinton, plaintiff, and Helias de Plesinton, tenant of one carucate of land with the appurtenances in [**Plesin**]ton, and 6 acres of land with the appurtenances in **Billinton**.

Helias de Billinton acknowledged the land to be the right of Helias de Plesinton, to hold of him and his heirs by the free service of eight shillings to be rendered yearly at the feast of St. Giles, for all service saving forinsec service belonging to that land. For this acknowledgment Helias de Plesinton gave him six marks of silver.

No. 61.—At York, on the morrow of St. Thomas the Apostle, 12 John [22nd December, 1210].

Between Sabina de Hocwic, plaintiff, and Richard de Hocwic, tenant of half a carucate of land with the appurtenances in **Hocwic**.²

Richard acknowledged the land to be the right of Sabina.

¹ Richard, son of Robert de Lathom, held in 1212, of Robert Grelley 5½ car., viz., in Childwall 3 car., Aspul 1 car., Turton 1 car., and in Brockholes ½ car., by mil. serv., at the rate of 6½ car. to one knight's fee. The tenement in Allerton may have been in some way connected with this fee. However, it was resigned by this Fine, and Robert Grelley and his successors afterwards held Allerton, Dalton, and the vill of Childwall, of the Honour of Lancaster, by the service of ½ knight's fee, doing one suit for Dalton, and another for Allerton to County and Wapentake Courts. (*Mamcestre*, pp. 337, 352).

² In the King's Court in Easter Term, 1210, Sabina de Howic sued Richard de Howic for half a carucate of land with appurtenances in Howic, as her right. Richard prayed for a view. A day was given them at fifteen days from the Wednesday after the Invention of Holy Cross (19th May, 1210), and in the meantime, &c. (*C. R. Roll*, No. 52, m. 3). Howick was given in almoign to the Abbey of Evesham by Roger the Poictevin. (*Penwortham Priory*, p. 8).

For this acknowledgment Sabina granted the land to him, to hold of the chief lords of that fee, except two oxgangs of the said land, to wit, one with the messuage and other appurtenances, which Albin, son of Sired held, and another which Richard, son of Warin held, with the messuage which belonged to Roger Briton; and except 10 acres of the said land, which lie between the marsh of Hocwic and Smeleden; and except the homage and service of Roger, son of Gamel, from nine acres of land, which he holds of that land, to wit, 18 pence for all service; which 2 oxgangs, 10 acres of land, messuages and service shall quietly remain to Sabina and her heirs. This concord was made in the presence of, and with the consent of Roger [son of] Gamel, who also acknowledged that he owed that service. And be it known that Sabina and her heirs shall hold the said two oxgangs, 10 acres of land, two messuages, and the service of Roger [son of] Gamel, of the Abbot of Evesham and his successors by the service thereto belonging.

No. 62.—At Lancaster, [between 25th October and 7th November, 1202].

Between Edusa, who was the wife of Alan de Windhulle,¹ plaintiff, and Alan, son of Alan, tenant, respecting the reasonable

¹ Alan de Windle, senr., died before Easter, 1200. His widow proffered 1 m. for a writ of summons to Westminster, respecting her dower against Alan de Windle, jun., the proffered fine being due for payment at Easter. The date of this Fine may be safely determined as October or November, 1202. The original chirograph is much mutilated. In 1201, Alan, son of Alan de Pemberton, proffered 10 m. for his relief after his father's death, and for a writ of right against Nicholas le Boteler, for 40s. proffered for his relief in the 10 Richard I. (*Lancashire Pipe Rolls*, p. 141). The family of Windle, or Windhull, was of considerable importance in co. Lancaster, in the thirteenth century. Pagan de Vilars gave 1 carucate in Wyndhill to Vivian Gernet, in marriage with Emma, his daughter, by the service of one-tenth knight's fee. In 1212, Alan, son of Alan [de Windle], held this land of Robert de Vilars. (*Testa* ii, f. 810). Alan de Pemberton [*alias* de Windle], holds 2 carucates in Pemberton in thanage by the service of 20s. yearly, and one judgeship. Adam de Pemberton (probably uncle of Alan) holds this land. Henry, son of Lawrence, holds of Adam 4 oxgangs of that land by ancient feoffment, and Alan, son of Aldith, holds 1 oxgang [in Syfrehley] of the said Henry. (*Ibid.*, f. 829). This last-named place appears to have been situate in Dalton township. Besides other lands, Edusa was endowed of 2 oxgangs in Skelmersdale, and of one-third the mill there, which suggests that Alan de Windle also held the greater part, if not the whole of Skelmersdale.

dower belonging to her of the free tenement which Alan her husband held in **Skelmersdale**, and **Syfrethelegh**, **Penbreton**, and **Windhull**.

Edusa quit-claimed to Alan and his heirs, all her right in the said dower. For this quit-claim he granted to Edusa one toft in Penbreton which is called Hennewurthe, and one oxgang of land with the appurtenances which Harvey held, and one oxgang of land which Ailwin held, and all the third part of the meadow called Torkraell towards the east in Skelmersdale, and one oxgang of land which Ralph held in Skelmaresden, and the third part of one oxgang of land in the said town which Levenat held, and the third part of certain land called Tunstede of Alan's demesne in Skelmaresden, towards the west; to hold to Edusa for life in the name of dower. After her decease, the said land shall peaceably revert to Alan and his heirs. Moreover he gave her 3 marks of silver, 22 pence and 16 woodland mares. And let it be known that Edusa shall have the third part of the mill of Skelmaresden for life.

YORK.

4 JOHN.

No. 143.—At York, on Saturday in the feast of St. Clement at York (*sic*), 4 John [23rd November, 1202].

Between William, son of Arkil,¹ plaintiff, and Benedict, the chaplain of Tateham, tenant, of twenty acres of land with appurtenances in **Tateham**.

William released his right in the land to Benedict and his heirs, for which Benedict gave him 4 marks of silver.

¹ Possibly this is William, son of Archil of Malham, the earliest known member of the "de Malham" family. He witnessed several charters of grants of land in Eshton and Hetton, co. York, to the Abbey of Furness, between 1180 and 1220. (*Brit. Mus., Chouher of Furness*, Add. MSS. No. 33,244).

DIVERS COUNTIES.

"LANCASTRE—WESTMERILAND."

9 JOHN.

No. 51.—At Westminster, on the Octave of St. Hilary, 9 John [20th January, 1208].

Between William, Prior of Cartmell, plaintiff, and Ralph de Buethum, deforciant, respecting common fishing in the water of Kent.

Ralph acknowledged the common of fishing of the said water of Kent to be the right of the Prior and of the Church of St. Michael of Cartmell, upon this wise, to wit, that when the water of Kent shall lie between the said Ralph's land of Swinesnese and Heuesholme, the fishing from opposite Swinesnese, by the head below Heuesholme—when the water lies upon the sand so that men can pass between land and water on either side,—shall be common throughout and for all, both to the Prior and his successors, and to Ralph and his heirs, down to the sea. When however the water of Kent shall lie close to Ralph's land of Arnuluesheued¹ or Heuesholme, on any portion of Heuesholme (*ex quacumque parte de H.*), or to the crags thereof, and there shall be pools there (*Wellæ*), lying close to the land and to the crags, these pools shall be solely, freely, and quietly to Ralph and his heirs, and all the remainder of the water shall be common, from the said Swinesnese by the head below Heuesholme, down to the sea. And when the water of Kent shall lie between the land of Cartmell and Heuesholme, the fishing shall be common from opposite Breidegate, by the head below Heuesholme, both to Ralph and his heirs, and to the Prior and his successors, unless the water shall lie hard upon the land of Cartmell (*nisi eadem aqua jaceat firmiter ad terram de C.*), and there shall be pools there. Then in that case those pools shall be solely, freely and quietly to the Prior and his successors. For this acknowledgment the Prior gave Ralph five marks of silver.²

¹ Now Arnside.

² The lapse of seven centuries has not rendered the course of the river Kent in the tidal water less erratic, for it still changes its course at will, sometimes hugging the Grange side of the estuary, at other times favouring the Westmorland side below Arnside Knot. This uncertain tendency was the

LANCASTER.

3 HENRY III.

No. 1.—At Lancaster,¹ on Wednesday next after the feast of St. Hilary, 3 Henry III. [16th January, 1219].

Between Syrith, daughter of Godwin, and Wynniva and Matilda, her sisters, plaintiffs, and Walter Mutun, tenant of one oxgang of land with the appurtenances in Ribecestre. An assize of *mort d'ancestor* had been summoned between them.

Syrith, Wynniva and Matilda quit-claimed from themselves and

cause of litigation between the Priory of Cartmel, soon after its foundation, and Ralph de Beetham. The one was owner of the Lancashire side, from the mouth of the Winster westward past Humphrey's Head; the other of the Westmorland side, from Arnside to Silverdale and Lindeth.

In Michaelmas Term, 8 John, in the King's Court at Westminster, litigation appears to have commenced; Ralph de Beetham by his attorney Ranulf de Levenes, and the Prior of Cartmel by Joceline Marshall, being pledged to sue on the Octave of St. Hilary. (*C. R. Roll* No. 43, m. 12 *dorso*.) On that date the latter appeared in a plea *versus* Ralph de Beetham, wherefore he obstructed the Prior in the enjoyment of his fishery in Cainton (*i.e.* Kent). Ralphessoined himself *de malo lecti*, but the essoin did not lie, and he was bound by sureties to appear on the quindene of Easter. (*Ibid. Roll* No. 44, m. 2). The next record of the suit is in Michaelmas Term, 9 John, when the Prior complained that Ralph did not permit him to enjoy his common of fishery in the water of Kaen, as he was accustomed to do, and ought to do, by virtue of the charter of King Henry (II), the King's father, who gave the territory of Kermel to William Marshall, who in turn gave it to the canons of Kermel, with the said common right. Ralph denied the right, whereupon the Prior asked that a jury be summoned to declare whether King Henry was seised of common of that fishery, when he gave the land to William Marshall, and whether the said canons were afterwards seised of the same. A day was given on the octave of St. Martin, a jury to be summoned for the same day. (*Ibid. Roll* No. 45, m. 2, *dorso*.) Upon that date the Sheriff of Westmorland neglected to send the names of the recognizors, and a further day was given on the octave of St. Hilary. The recognizors from co. Lancaster were also ordered to be attached for their default to appear. (*Ibid. m. 7 dorso*.) Upon the day appointed for the further hearing of the case, the parties made concord as above.

¹ The Justices in Eyre were:—Philip de Ulcot, Thomas de Multon, Ralph de Feritate, and Lawrence de Wilton, clerk. They held assizes in 3 Henry III., in "Cumberlaunde, Westmerilaund, and Launcestre" (*Endorsement on Final Concord*, No. 3).

their heirs to Walter and his heirs in perpetuity, all their right in the land. For this quit-claim Walter gave them twenty shillings sterling.

No. 2.—At Lancaster, on Wednesday next after the Octave of St. Hilary, 3 Henry III. [23rd January, 1219].

Between Beatrice, formerly the wife of Hugh de Mitton, Michael de Athelakeston, and Avice, his wife, and Richard, son of Swain and Yseuda, his wife, plaintiffs,¹ and Nicholas de Yeland, tenant, of two oxgangs of land and two parts of one oxgang with the appurtenances in the town of **Hoton**. An assize of *mort d'ancestor* had been summoned between them.

Beatrice, Michael and Avice, his wife, Richard and Yseuda, his wife, quit-claimed from themselves and their heirs to Nicholas and his heirs in perpetuity all their rights in the land. For this quit-claim Nicholas gave them ten marks of silver.

No. 3.—At Lancaster, on Tuesday next after the Octave of St. Hilary, 3 Henry III. [22nd January, 1219].

Between Richard de Wykerdley, plaintiff, and Richard de Hylton, tenant of six oxgangs of land² with the appurtenances in

¹ Beatrice, Avice, and Ysolt were daughters and co-heiresses of Robert, son of Bernard of Goosnargh, Catterall, and Wrightington. Cf. *Cockersand, Chartulary*, p. 234 n.

² This estate of six oxgangs was in Higher Worsley, over Hulton and Little Hulton. It is not included in the survey of 1212, and was therefore presumably in the King's hands at that time. From a schedule of lands in Salford Hundred, held as of the Honour of Lancaster, recorded in the Pipe Roll of 10 Henry III., but of a date early in the reign of King John, it appears that Worsley and Hulton were held by Gerard de Camvill and William de Nevill, by the thanage service of 20s. per annum. These two persons were both partisans of King John, when he was Count of Mortain, and Lord of Lancaster (1189–1194), it is therefore probable that this estate had been given to them by King John, being an escheat in his hands. William de Nevill died before 1212. From a schedule of the lands and tenants of Edmund, Earl of Lancaster, made in the 10 Edward I. (1281–2), it appears that Hugh de Nevill then held this estate. The *Birch Feodary*, so called, which appears to be a survey of the possessions of Edmund, Earl of Lancaster, in the county of Lancaster, also records Hugh de Nevill as tenant. Richard de Worsley, named in this fine, would therefore appear to have held under Camvill and Nevill, and to have pledged or mortgaged the estate before 1215, to Jorwerth de Hulton, who died in that year (*Pipe Rolls*, p. 256.) In 1385, Geoffrey de Worsley died seised of the manor of Worsley, held by the socage rent of 13s. 4d., and three-fourths of the manor of Hulton. Elizabeth his dau. and heiress married Arthur de Worsley. (*Chetham Soc.*, xcv., pp. 23, 118).

Hylton, whereupon a plea had been summoned between them in the said Court by the King's writ of *præcipe quod reddat*; in which land Richard de Hylton had no entry except by Yvort, his father, to whom Richard de Wikerley had pledged the same for a term which has now expired, as he avers, and which Richard de Wikerley claims to be his inheritance.

Richard de Hylton acknowledged the land to be the right of Richard de Wikerley. For this acknowledgment he granted the said land to Richard de Hylton, to hold of him to farm for the term of 17 years, rendering yearly two shillings at the feast of St. John the Baptist, and performing forinsec service, for all other service and demand. At the end of 17 years, the land to quietly return to Richard de Wikerley or his heirs, unless in the mean time Richard de Hylton or his heirs, with good intent towards Richard de Wikerley or his heirs, shall do something whereby the land ought finally to remain to them. For confirmation of this agreement Richard de Hylton gave Richard de Wyrkedley one mark of silver.

No. 4.—At Lancaster, on Monday next after the Purification of the Virgin Mary, 3 Henry III. [4th February, 1219].

Between William, son of Robert, plaintiff, and Gilbert fitz Renfrid, tenant of eight oxgangs of land with the appurtenances in **Lathebote**.¹ An assize of *mort d'ancestor* had been summoned between them,

William quit-claimed the land from himself and his heirs, to Gilbert and his heirs. For this Gilbert gave him two oxgangs of land in Warton which belonged to Robert de Treueles; and also the service of eight shillings yearly to be received of William, son of Warin, in Thistelton, and homage; to hold to him and his heirs, of Gilbert and his heirs in perpetuity, rendering yearly two shillings at the feast of the Assumption of the Blessed Mary, for all secular service and demand, saving forinsec service to the chief lord.

No. 5.—At Westminster, on the Quindene of Holy Trinity, 3 Henry III. [16th June, 1219].

Between Thomas le Waleis, plaintiff, by Richard le Waleis put in his place, and William le Butiller,² tenant of two oxgangs

¹ Apparently a place in Amounderness, but not identified.

² William le Boteler, fifth Baron of Warrington.

of land with the appurtenances in **BRACKEN** in which a mort d'ancestor had been summoned between them.

Thomas acknowledged the same to be the right of **WILLIAM**. For this acknowledgment **WILLIAM** gave to **THOMAS** the value of the said two oxgangs in wit and right which he received the sum: to hold to him and his heirs in **WILLIAM** and his heirs by the service of **THOMAS** peace which is the case of the land the Baptist, for all services except **WILLIAM** service.

No. 6.—At Westminster in the Octave of St. Hilary 5 Henry III. [1214 January 1214].

Between **ADAM** le **BARBER** and **ALICE** his wife purchased by the said **ADAM** and **ALICE** lease and **ROBERT** **VAUGHAN** tenant of four oxgangs in and with the appurtenances in **Withull**.²

Adam and **Alice** purchased from themselves and their heirs to **Richard** and his heirs in perpetuity all their right in the same. For which **Richard** gave them ten marks of silver.

No. 7.—At Westminster in the morning of the Purification of the Virgin Mary. 5 Henry III. [1214 January 1214].

¹ Bruck, in the township of **Bruton-with-Bruton**, which was a tithing of the **Warrington** fee.

² **Welsh Whitele** in the parish of **Bruton** was part of the inheritance of land given by **Warin** **Bonell** in his marriage with his daughter in marriage to **Marvey**. The predecessor of **Richard** le **Waleis** or **Welsh** had been entitled of this estate, which afterwards assumed the name of **Welsh Whitele** to distinguish it from **Whitele-le-Waleis**. In **Trinity Term** 2 Henry III. in the King's Court, **Adam** **Arbalester** **Barbours** and **Alice** his wife sued **Richard** le **Waleis** (**Welsh**) for 4 oxgangs of land in **Withull** as the right and marriage portion of **Alice** his wife which **Richard** has in entry except by **Roger** de **Leicester**, formerly husband of **Alice**. **Richard** called to **Walter** **William** de **Lancaster**, son of **Gilbert**. It appears at 2 weeks from St. Michael by the order of the Court. **Richard** puts in his place **Robert** his son; **Alice** puts her husband in her place. (*C. R. Roll*, No. 72, m. 22). In **Michaelmas Term**, **Peter**, son of **Richard**, cousin of **Robert** **Waleis**, who was the attorney of **Richard** **Waleis** sued **William** de **Lancaster** in a plea so warrant to **Richard** 4 oxgangs in **Hwethul**, which **Adam** **Arbalester** and **Alice**, his wife, claim from **Richard**, &c. **William** did not come. Judgment against him to be taken from his land to the value of 4 oxgangs of land, and to be summoned to appear on the Octave of St. Hilary. (*C. R. Roll*, No. 76, m. 21). On the Octave of St. Hilary, 5 Henry III., **Richard** le **Waleis** gave half a mark for licence to concord by the surety of **Robert** de **Liverlande**. (*C. R. Roll*, No. 79, m. 4 verso).

Between Robert de Viliers, plaintiff, and Walter de Holes, and Beatrice his wife, tenants of one oxgang of land with the appurtenances in **Holes**.¹

Robert acknowledged the land to be the right of Beatrice, to hold of him and his heirs, to Walter and Beatrice, and the heirs of Beatrice, in perpetuity, rendering yearly two shillings at two terms, to wit, one moiety at Easter, and the other at the feast of St. Michael, for all service, except forinsec service. Moreover Robert granted to them, and the heirs of Beatrice, common of pasture in the said town for all their own beasts, wherever the beasts of the free men of the said town depasture. Nevertheless the said Robert and his heirs shall have power to break up (*frussire*) a portion of the pasture, lying between the water of Ascalon and "la onisse," in whatever place shall be to their greater advantage, for the improvement of the Manor of Holes, without gainsay of Walter and Beatrice, and the heirs of Beatrice. For this acknowledgment they gave him twenty shillings sterling.

No. 7a.—At Westminster, on the morrow of St. Luke, 8 Henry III. [19th October, 1224].

Between Simon de Grubbeheued, plaintiff, and Richard, son of Richard, tenant of the Manor of **Lathom** with the appurtenances.²

¹ Pagan de Vilers gave Much Hoole to Thomas de Vilers, his son, whose successor, Robert de Vilers held it in 1212, and also at the date of the above fine. It is probable that Beatrice was a daughter of Robert, and that Walter de Hoole had received the oxgang of land in frank marriage with her. Walter was living in 1242 (*Testa* ii., f. 787.) In 16 Edward I., a portion of Great Hoole (probably the above estate), was held by Adam de Walton, of William de Ferrers, by the yearly service of 2s. (*Escaeta*, 16 Edward I., No. 27).

² Richard de Lathom, son of Richard, son of Robert had livery of Lathom by writ dated at Westminster, 27th January, 1221 (*Fine Roll Excerpts*, p. 60.) In Hilary Term, 7 Henry III., in the King's Court, Simon Grubbeheued sued Richard, son of Richard de Lathom—who essoined himself *de malo lecti*—in a plea of land. The four knights sent to view his infirmity, to wit, Adam de Radecliue, Fernhald de Hulehiat (? Holgate), Simon de Ludehat (Lydiate), and Alex. de Derewent, came and told that they had been to Lathom in accordance with the King's writ sent to them, but they found him not there, because he lies at Knole (Knowsley.) Which was found to be so in the Rolls, being a mistake of the Clerks. Wherefore the four knights were directed to go to Knowle to view him, and if he were not sick, to give him a day at three weeks from Easter. But if he were sick, the knights to testify accordingly on the said day at the Court. (*O. R. Roll*, No. 82, m. 3.) As Richard de Lathom died childless, it is probable that

Simon quit-claimed from himself and his heirs to Richard and his heirs, in perpetuity, all right in the manor. For this quit-claim Richard granted to Simon three carucates of land in Childewal, and three carucates in Ruge, and two oxgangs in Anlousburgh, to wit, the whole of his land in the said towns; to hold of him and his heirs, to Simon and his heirs for ever, rendering yearly one pound of cummin, or four pence at the Nativity of our Lord, for all service, saving forisfact service. And Richard and his heirs will warrant to Simon and his heirs the land hereby granted.

No. 3.—At Westminster, on the Octave of St. Michael, 8 Henry III. [6th October, 1224].

Between Matilda, daughter of Henry, plaintiff, and Roger, son of Roger de Leycestre, respecting one carucate of land with the appurtenances in Ribbelton. Matilda complained that Roger had not kept the agreement made by chirograph in the court of King John, between Roger, father of the said Roger, whose heir he is, and the said Matilda. There had been a "plea of fine made" between them.

Roger granted to Matilda one oxgang of land of the said carucate, to wit, that which William de Echelton held; to hold to her and her heirs, of him and his heirs in perpetuity, together with two other oxgangs of land, which she formerly held, being part of the said carucate, by the said fine; rendering yearly two shillings at the four terms, to wit, at the Nativity of our Lord 6d., at Mid-Lent 6d., at the Nativity of St. John the Baptist 6d., and at the feast of St. Michael 6d., for all service, custom, and secular demand. And Roger and his heirs will warrant to Matilda and her heirs the said three oxgangs for the said service. For this acknowledgment Matilda quit-claimed from herself and her heirs, to Roger and his heirs for ever, all her right in the surplus of the said carucate. And be it known that the fine previously made is hereby cancelled.¹

No. 9.—At Westminster, on the Octave of St. Hilary, 9 Henry III. [20th January, 1225].

this alienation of the Lathom estates, was a denial of Richard's life interest only for considerations received from Simon Grubbond. It is noteworthy that Richard "dwelt at Knowsley," thus confirming the statement in the note, p. 8, that Knowsley had been an estate of the Lathom family long before the marriage of Sir Robert de Lathom to Katharine de Knowsley.

¹ Cf. Fine No. 33, *temp. John*, p. 21.

Between William Gernet, plaintiff, and Roger Gernet, whom William le Vilein and Cecily his wife called to warrant, respecting Cecily's dower of the Manor of **Fischwic** with the appurtenances, which Manor William Gernet claimed against William and Cecily, and which Roger warranted to them.¹

William Gernet quit-claimed from himself and his heirs, to Roger, William and Cecily, and the heirs of Roger, in perpetuity, all his right in the Manor. For this quit-claim Roger granted that William Gernet and his heirs should have and hold half a carucate of land in Crophill, which he formerly held of Roger and his heirs, performing therefor forinsec service belonging to half a carucate of land, where 21 carucates make the service of one knight for all service.

No. 10.—At Westminster, in a month from Easter, 9 Henry III. [27th April, 1225].

Between Nicholas, Master of the Hospital of St. Leonard of Lancaster, plaintiff, and Roger, son of Ralph, impediēt of five acres of land with the appurtenances in **Lancastre**, respecting which a plea of warranty of charter had been summoned between them.²

Roger acknowledged the land to be the right of the Master, and of the Hospital of St. Leonard of Lancaster, as that which they have of the gift of Warin, son of Emma, his grandfather, whose heir he is; to hold to the Master and his successors and to the said Hospital, of Roger and his heirs in perpetuity, in free, pure and perpetual alms, quit of all secular service and demand. And Roger and his heirs will warrant the land to them as aforesaid for ever. For this acknowledgment the Master has received Roger and his heirs into all benefits and prayers which shall hereafter be made in the said Hospital.

¹ In Michaelmas Term, 7-8 Henry III., Adam de Preston, essoiner of Nicholas de Fischwic, who was attorney for William le Vilein and Cecily his wife, sued Roger Gernet, brother and heir of William Gernet, in a plea to warrant to them the Manor of Fishwic, which William Gernet claimed as his right; whereupon they had called to warrant the said Roger, who did not appear. Judgment to be taken from his land to the value of that Manor, and to be summoned for the Octave of St. Hilary. (*C. R. Roll*, No. 85, m. 21 verso).

² The suit was commenced on the Octave of St. Michael, 8-9 Henry III. (*C. R. Roll*, No. 87, m. 7), and postponed to Hilary Term, when Roger failed to appear, and the writ was not returned.

No. 12.—At Westminster in the twelfth year of the reign of
SS. Simon and Jude apostles. Henry III. [year January 1227].

Between Simon de Basset, plaintiff, and Robert de Basset,
tenant of two messuages in Lich. with the appurtenances in
Holand.

Simon quit-claimed to Robert and his heirs in perpetuity,
all his right in the said. For the quit-claim Robert gave him
five marks of silver.

No. 13.—At Lancaster in the twelfth year of the reign of
H. Henry III. [year January 1227].

Between Geoffrey de Gascon, plaintiff, and John de Gascon, with
and Richard de Gunt. tenant in one messuage in Lich. with the
appurtenances in Billesburg. all issues in which Geoffrey had
been summoned between them.

Geoffrey and John quit-claimed to Richard and his heirs in
perpetuity, all their right in the said. For the quit-claim he gave
them four marks of silver.

No. 14.—At Lancaster in the twelfth year of the reign of
H. Henry III. [year January 1227].

Between Robert Gredley, plaintiff, and Thomas de Brimful,
Alexander de Harvile, Thomas de Wittingham, and Adam de
Radclive, defendants: respecting suit in Lich. in 1226, which

¹ Up-Buland, in the parish of Vigon. The estate was held in tithings.

² There are 17 Fines Lancastriae 1226-27, which were made before the
Justices in eyre at Lancaster, during the twelfth year commencing on the 12th
January, 1227. The names of the Justices are—Martin de Parham, Raming,
son of Robert, Brian fitz Ran, William de Eves, Richard Innes, and part
of the time John de Lacy, Justiciar of Chester. In none but of the
proceedings of this eyre now extant. But in the *Pipe Roll* of H. Henry III.,
a. 2. "Amercements" by M. de Parham and his associates, there is an
account of 43s. 10s. 4d. paid into the Treasury by the Sheriff arising
from amercements upon persons and townships, the details of which were
entered upon a roll, which the Justices delivered to the Treasury. In
addition there are entries of 15 names of persons who rendered account of
their own amercements, discharged partly this year, and partly in the year
following. The first entry relates to the above Fine. "Geoffrey de Gascon
renders account of 20s. for default. Paid to the Treasury 10s. and he owes
10s." *Pipe Roll*, No. 72, v. 1. From the *Dockward Chancery* it appears
that Richard de Cottam was son of Robert, son of Ughard, who was brother
of Richard de Singleton. 1150-1212.

³ There is mention of these suits in the Plea Rolls. On the feast of
St. Edward, 5 Henry III. in London, a day was given to Thomas de Bar(u)hull
versus Robert de Greia, in a plea of service, by Jordan de Bar(u)hull in a

Robert claimed of them from the tenements which they hold of him in **Harwude, Wurthington, Leoure** and **Brimhill**, whereupon he claimed from them, beside other services which they owe for their said tenements, that they should perform suit to him fortnightly at his court at Mamecestre, whereas they only acknowledge that they ought to do suit from month to month. A jury of grand assize had been summoned between them.

Thomas, Alexander, Thomas and Adam acknowledged for themselves and their heirs, that they would perform suit at the court of Robert and his heirs at Mamecestre every three weeks, and fortnightly at pleas to be held by the King's writ, and at the judgment of thieves. For this acknowledgment Robert quit-claimed to them all arrears of suits unto this day.

No. 14.—At Lancaster, on the Octave of St. Hilary, 11 Henry III. [20th January, 1227].

Between William de Liveseye, plaintiff, and Adam de Bilington, tenant of 20 acres of land with the appurtenances in **Liveseye**. A jury of grand assize had been summoned between them.

Adam acknowledged 12 acres of the said land, to wit, those 12 acres on the west side of the water of Derewente, to be the right of William, and quit-claimed them from himself and his heirs to William and his heirs in perpetuity. For this acknowledgment William quit-claimed from himself and his heirs to Adam and his heirs for ever, all his right in the residue of the land.

No. 15.—At Lancaster, on the Octave of St. Hilary, 11 Henry III. [20th January, 1227].

Between William, son of Thomas de Tunstal, plaintiff, and Roger, son of William de Tunstal, deforciant, respecting customs and services which William claimed of Roger from two oxgangs

month from St. Hilary. (*C. R. Roll*, No. 78, m. 4 *dorso*.) The same day was given to Adam de Radeclive in a like suit. (*Ibid.*, m. 14.) Robert de Greley, by his attorney, sued Thomas de Wurthington in a plea that he should perform the customs and rightful services, which he ought to do to him for the free tenement which he holds of him in Wurthington. Thomas although summoned, did not appear, and was to be attached to appear on the above-named day. (*Ibid.*, m. 15.) The details of the estates owing these suits are as follows:—Brindle, 3 carucates, an estate originally a member of the Penwortham barony, but without service to that Barony, and so afterwards annexed to Manchester; 1 carucate in Harwood, parish of Bolton, which formed part of the fee of one Knight with Childwall 3 carucates, Aspul 1 carucate, Turton 1 carucate, and Brockholes $\frac{1}{2}$ carucate; Wurthington and Heaton-under-Horwich held for $\frac{1}{2}$ Knight's fee; Little Leaver, 2 oxgangs.

of land with the appurtenances, which Roger gave of the manor of Tunstal, whereupon William granted that Roger should have to him yearly 7s. 7½d., which customs and services Roger did not acknowledge.

Roger acknowledged the land to be the right of William. For this acknowledgment William granted to Roger and his heirs to hold of him and his heirs, rendering yearly to the king and the pound of pepper at two terms, to wit, the money at the Feast of our Lord, and the other at the feast of St. Michael, for a service and demand. After the death of Roger the land and appurtenances revert to William and his heirs.

No. 16.—At Lancaster, in the County of York, Henry III. [20th January, 1217].

Between Jordan the Goldsmith, plaintiff, and William, son of Ketel, tenant of half an acre of land with the appurtenances in Aston. A jury of grand assize was summoned between them.

William acknowledged the land to be the right of Jordan. For this acknowledgment Jordan granted to William and his heirs, of Jordan and his heirs, rendering yearly six pence at two terms, to wit, at Easter three pence, and at the feast of St. Michael three pence for all services saving forinsec service belonging to the land. For this grant William gave him half a mark of silver.

No. 17.—At Lancaster, in the County of York, Henry III. [20th January, 1217].

Between Adam de Bury, plaintiff, and John de la Mare, tenant of 200 acres of land and one mill with the appurtenances in Suttelesworth.¹ An assize of mort d'ancestor was summoned between them.

John acknowledged the moiety of the land and mill with the appurtenances, in demesnes, and the services of the free tenants, who held of the said tenement at this time, to be the right of Adam, to wit, that moiety of the whole demesne, wheresoever it lies towards the north (*versus unbram*), to hold to Adam and his

¹ Shuttleworth, in the parish of Bury was, before 1225, a member of Roger de Montbegon's estate in Salford Hundred. John de la Mare had been enfeoffed of numerous estates in the Montbegon fief. Adam de Bury held one moiety of the manor under him; and in 1311, his successor, Henry de Bury, held this moiety by the service of 12d. yearly, of the Earl of Lincoln. The other moiety was probably in demesne.

heirs, of John and his heirs in perpetuity, rendering yearly twelve pence at two terms, to wit, at Easter six pence, and at the feast of St. Michael six pence, for all service and demand. And be it known that those who were formerly enfeoffed by John, shall perform the moiety of the service due from their tenements to Adam and his heirs, and the other moiety to John and his heirs.

No. 18.—At Lancaster, on the morrow of St. Hilary,
11 Henry III. [14th January, 1227].

Between Alexander de Kirkeby, plaintiff, and Robert, Abbot of Furness, tenant of four oxgangs of land with the appurtenances in **Kirkeby**.¹

Alexander quit-claimed from himself and his heirs to the Abbot and his successors and to his church of Furness, in perpetuity, all his right in the land. For this quit-claim the Abbot gave him five marks of silver.

No. 19.—At Lancaster, on the Octave of St. Hilary,
11 Henry III. [20th January, 1227].

Between Eve, formerly the wife of Adam de Edesford, plaintiff, and Jordan de Whetelegh, tenant of one oxgang of land with the appurtenances in **Whetelegh**.²

Jordan acknowledged the land to be the right of Eve. For this acknowledgment she gave it to him, to hold to him and his heirs begotten of Mayancia, formerly his wife, and sister of Eve, and their heirs in perpetuity, rendering yearly to Eve and her heirs one pound of cumin at the feast of St. Giles, and to the chief lords of that fee fourteen pence at the said term, for all service and demand, saving forinsec service belonging to that land.

No. 20.—At Lancaster, on the Octave of St. Hilary,
11 Henry III. [20th January, 1227].

Between Matilda, daughter of Robert, plaintiff, and Richard, son of Roger,³ tenant of five oxgangs of land with the appurtenances in **Frekleton**.

Matilda quit-claimed from herself and her heirs to Richard and his heirs in perpetuity, all her right in the land. For this quit-claim Richard gave her three marks of silver.

No. 21.—At Lancaster, on the morrow of St. Hilary,
11 Henry III. [14th January, 1227].

¹ Kirkby Irlith. Cf. *Furness Coucher*, p. 317.

² Wheatley, in the parish of Chipping.

³ Richard de Freckleton, lord of Freckleton.

Between Roger, son of Roger de Heton, plaintiff, and Robert, Abbot of Furness, tenant of 15 acres of land with the appurtenances in **Querneberg**.¹ An assize of *mort d'ancestor* had been summoned between them.

Roger acknowledged the land to be the right of the Abbot, and of his church of Furness, and quit-claimed it from himself and his heirs to the Abbot and his successors in perpetuity. For this acknowledgment the Abbot gave him two marks of silver.

No. 22.—At Lancaster, on the Octave of St. Hillary, 11 Henry III. [20th January, 1227].

Between Roger de Tunstal and Matilda his wife, by the said Roger put in Matilda's place, plaintiffs, and Richard, Prior of St. Wilfrid of Horneby,² tenant of one oxgang of land with the appurtenances in **Wenington**; and between the said Roger and Matilda, plaintiffs, and the said Prior, whom William, son of Richard called to warrant, and who warranted to him, respecting one oxgang of land with the appurtenances in the said town. An assize of *mort d'ancestor* had been summoned between them,

Roger and Matilda quit-claimed from themselves and the heirs of Matilda to the Prior and his successors, in perpetuity, all their right in the land. For this quit-claim the Prior gave them ten shillings sterling.

No. 23.—At Lancaster, on the morrow of St. Hilary, 11 Henry III. [14th January, 1227].

Between Elias the Clerk, plaintiff, and William, son of Thomas, tenant of one oxgang of land with the appurtenances in **Ribbelcestre**. A jury of grand assize had been summoned between them.

William acknowledged the land to be the right of Elias. For this acknowledgment Elias granted it to him, to hold to him and his heirs, of Elias and his heirs in perpetuity, rendering yearly twelve pence at the feast of St. Giles for all service and demand, saving forinsec service belonging to that land.

¹ In Urswick. Cf. *Furness Couther*, p. 453.

² The Priory of Hornby, dedicated to St. Wilfrid, (a cell to the Abbey of Croxton, in co. Leicester) was probably founded by Adam de Montbegon, who acquired Hornby by marriage with one of the daughters and co-heiresses of Adam fitz Swain. It appears probable from charters preserved in the Register of that Abbey, that Adam de Montbegon, or Roger, his son, gave the Priory of Hornby to Croxton, *temp.* Henry II. or Richard I.

No. 24.—At Lancaster, on the Octave of St. Hilary,
11 Henry III. [20th January, 1227].

Between Adam, son of Walter, plaintiff, and Adam de Ieland, tenant of one oxgang of land with the appurtenances in **Warton**.¹ An assize of *mort d'ancestor* had been summoned between them.

Adam, son of Walter quit-claimed from himself and his heirs to Adam de Ieland and his heirs in perpetuity, all right in the land. For this quit-claim Adam de Ieland gave him two marks of silver.

No. 25.—At Lancaster, on the Octave of St. Hilary,
11 Henry III. [20th January, 1227].

Between Roger de Bowelton, plaintiff, and Syward de Dukesbiri, tenant of one carucate of land with the appurtenances in **Dukesbiri**.²

Syward acknowledged the land to be the right of Roger. For this acknowledgment Roger granted it to him, to hold to him and his heirs, of Roger and his heirs in perpetuity, rendering yearly 6s. 4d. at the feast of St. Martin, for all service and demand, saving forinsec service belonging to that land. And Roger and his heirs shall acquit Syward and his heirs every year from forty pence to the chief lords of that fee for ever. Elias de Tonge was present when this concord was made, and agreed thereto. And Roger granted to him and his heirs in perpetuity, eighteen pence of the said rent, to be received yearly at the feast of St. Martin. And if escheats, relief or wardship shall accrue from this land, the profit so arising shall be divided between Roger and Elias and their heirs.

No. 26.—At Lancaster, on the morrow of St. Hilary,
11 Hen. III. [14th January, 1227].

Between Robert, Abbot of Furness (*de Fornacibus*) plaintiff, and Alexander de Kirkeby, deforciant, respecting the advowson of the church of **Kyrkeby Yrlith**.³ A jury of grand assize had been summoned between them.

¹ Warton in Amounderness. Cf. *Cockersand Chartulary*, p. 191, note.

² In the 16 Edward I., 1288, Adam de Duxbury held one-third part of Duxbury of William de Ferrers, by homage and service of 14d.; Roger de Bolton and Elias de Tong each another third by the same service. (*Escaeta*, 16 Edward I., No. 27).

³ In Hilary Term, 9 Henry III., at Westminster, the Abbot of Furness sued Alexander de Kirkeby for the advowson of the church of Kirkeby Yrlith, as the right of his church, and averred that his predecessor, Abbot John (1152-1175), was seised thereof as of fee, and presented a certain Roger, his clerk, in the time of Henry II., who took the profits thereof to the value of 5s. &c. Alexander defended his right, and put himself on the grand assize, as

Alexander acknowledged the advowson of that church to be the right of the Abbot and of his church of Furness, and quit-claimed it from himself and his heirs, to the Abbot and his successors in perpetuity. The Abbot received Alexander into every benefit thereafter to be made in the church of Furness for ever.

No. 27.—At Lancaster, on the Octave of St. Hilary,
11 Henry III. [20 January, 1227].

Between Edward de Brochol, plaintiff, and William, son of Roger, tenant of one carucate of land with the appurtenances in Samlesbiri.¹

Edward quit-claimed from himself and his heirs to William and his heirs in perpetuity, all right in the land. For this quit-claim William gave him ten marks of silver.

No. 28.—At Lancaster, on the morrow of St. Hilary,
11 Henry III. [14th January, 1227].

Between Avice, formerly the wife of William Brun, and Robert Plumbe, and Cecily his wife, plaintiffs, and Robert, son of Ulfy, tenant of one oxgang and three parts of one oxgang of land with the appurtenances in Dileworth. A jury of grand assize had been summoned between them.

Robert, son of Ulfy acknowledged the land to be the right of Avice, Robert and Cecily. For this acknowledgment they granted to him the moiety of the said land, to wit, that moiety which lies towards the north, to hold to him and his heirs, of them and the heirs of Avice and Cecily, in perpetuity, rendering yearly twenty-two pence at the feast of St. Giles, for all service

to whether he had the greater right in the advowson, or the Abbot. The Abbot said that it did not seem to him that the assize ought to be made, because William, son of Roger, grandfather of Alexander granted and quit-claimed to the church of Furness his right in the gift of the church of Kirkeby Yrlith. Alexander defended his right &c. as before. A day was given to them upon the advent of the Justices [to Lancaster]. (*C. R. Roll*, No. 89, m. 8). Cf. *Furness Coucher*, p. 210.

¹ In Hilary Term, 9 Henry III., at Westminster, Edward de Brocholle by his attorney, sued Roger de Shamelesbiri for one carucate of land in Shamelesbiri as his right, because that Orm, his grandfather was seised thereof as of fee and right in his demesne in the time of Henry II., taking thereof profits to the value of 5s., and from Orm the right descended to Edward, his son, and from Edward to this Edward, who now sues, &c. Roger defended his right, &c., and put himself on the grand assize, and prayed for a verdict. A day was given to them upon the advent of the Justices. (*C. R. Roll*, No. 89, m. 10 verso).

and demand, of which Avice, Robert and Cecily and the heirs of Avice and Cecily will acquit Robert and his heirs towards the chief lords, of twenty-one pence yearly for ever. And they will answer to the chief lords of the fee for the service which belongs to the moiety which remains to them in demesne.

No. 29.—At Westminster, on the Quindene of Easter, 12 Henry III. [9th April, 1228].

Between William, son of Henry, plaintiff, and Gilbert, son of Roger,¹ tenant, by Henry, son of Gilbert put in his place, of half a carucate of land and one messuage with the appurtenances in Dalton.²

Gilbert acknowledged ten acres of this land to be the right of William, to wit, those ten acres which lie between Arkilleshorn and Soudhusthorn, extending to the highway which is the division between the town-field (*campus*) of Burton, and the town-field of Dalton; to hold to him and his heirs, of Gilbert and his heirs in perpetuity, together with all the land which William formerly held of the said Gilbert in Burton, rendering yearly for the said ten acres, as also for the other land, 2s. 6d. at four terms, to wit, at the Nativity of St. John the Baptist 7½d., at the feast of St. Michael 7½d., at the Nativity of our Lord, 7½d., and at Easter 7½d., for all service and exaction. With warranty.

For this acknowledgment William quit-claimed to Gilbert and his heirs, all the right which he had in the residue of the said land and messuage. And be it known that William and his heirs, and his men of Burton shall have "husbot & haybot" in a competent place by view of Gilbert's forester, and likewise common of pasture for their beasts in Gilbert's wood in Dalton, and likewise in the fields of that town after the corn and hay have been carried away. Be it known also that it shall be lawful for Gilbert and his heirs to uproot his wood, and make assart within the ancient fences, wherever they will, without gainsay of William and his heirs.

No. 30.—At Westminster, on the morrow of All Souls, 13 Henry III. [3rd November, 1228].

¹ See note to the Fine No. 56, 19 Henry III., *postea*.

² The township of Dalton is in the county of Lancaster, although it is in the Westmorland parish of Burton-in-Kendal.

Between William de Tatham, plaintiff, and Robert, Abbot of Deulecres, tenant, by Brother William de Deulecres, his monk put in his place, of three carucates of land with the appurtenances in Roshale.¹

William quit-claimed to the Abbot and his successors, and to

¹ Rossall, in the parish of Poulton-in-the-Fylde. By writ dated at Bath, 28th August, 1216, King John sent word to Ranulf, Earl of Chester, then Sheriff of Lancaster, to deliver seisin of the pasture of Rossale to the Abbot and monks of Deulacrese, which he had given them for the love of God, and in conformity with the earl's request. Further, upon his advent to those parts, to cause William le Boteler and Adam de Yealand to appear before him to testify by word of mouth, that which they had testified to him by their letters patent. (*Close Roll*, 18 John, m. 4). By writ dated 26th January, 1221, the Sheriff was directed to make diligent inquiry by discreet and liege men of co. Lancaster, as to what amount of ferm the said pasture bears in the *Corpus Comitatus*. (*Ibid.* 5 Henry III., m. 20 verso). On the 29th October, 1222, another writ was issued directing Brian de L'Isle to diligently inquire by free and liege men of the district of Amounderness, as to what had been the boundary between the Hay of Roshale and the land of Roger de Heton in Brunne (*Burne Hall*), before that Hay passed into the hands of the Abbot of Deulacrese, and according to the verdict, to re-establish the former boundaries. (*Ibid.* 7 Henry III., m. 29). From January, 1221, the abbey continued in possession, and accordingly the *Pipe Roll* of 5 Henry III. records an allowance of 75s. out of the *Corpus Comitatus* to the Sheriff for a period of nine months, for the pasture of Rosshale, which the abbey held during the king's pleasure, as a result of the inquest held according to the king's precept. By charter, dated at Westminster, 14 July, 1228, the king granted the land of Roshale in frankalmoin to the said abbey, which they had formerly held in bailiwick of King John. (*Charter Roll* No. 20, m. 3).

Before the Conquest there were two team-lands in "Rushale." (*Domesday Survey*). But this manor, like many others north of the Ribble, was laid waste after the Conquest, and degenerated into an afforested "Hay" or pasture. As part of the comital demesne, it rendered £5 yearly to the ferm of the Honour of Lancaster, from the time of Henry II. to the reign of John. By some means a number of persons acquired certain rights in this pasture, which the abbey appears to have bought up. The Register of Deulacres, formerly (1637) in the possession of Benjamin Rudyard, gent. (present whereabouts unknown), contained quit-claims to the abbey from Theobald Walter, Roger de Heton, William de Clifton, and William de Tatham, the plaintiff in the above Fine, to whose charter the following persons were witnesses:—Sir William de Lancaster, Adam de Yealand, then Sheriff of Lancaster (12 Henry III.), William de Vernon, Geoffrey de Dutton, Thomas de Bethom, Geoffrey Arbalaster, Walter de Parles, William de Karlinton [*Carleton*], Henry de Waleton, Adam Banastre, Alan de Singleton, and Roger de Dereby. (*Dodsworth's MSS.*, lxvi., f. 112 b). In Mich. Term, 12 Henry III., the abbey of Deulecresse gave the king 20s. for licence to concord with William de Tatham in a plea of land. (*Curia Regis Roll*, No. 98, m. 8 verso).

his church of Deulecres, in perpetuity, all right in the land. For this quit-claim the Abbot gave him 200 marks sterling.

No. 31.—At Westminster, in three weeks from the feast of St. Michael, 13 Henry III. [20th October, 1229].

Between Sygerith de Dumplinton,¹ plaintiff, and Robert Grehley, tenant of 40 acres of land with the appurtenances in **Dumplinton**.²

Sygerith quit-claimed to Robert and his heirs in perpetuity, all her right in the land. For this quit-claim he gave her twenty shillings sterling.

No. 32.—At Westminster, in five weeks from the feast of St. Michael, 14 Henry III. [3rd November 1229].

Between Hubert de Burgh and Margaret, his wife, plaintiffs, by Henry de Bradegar put in their place, and Henry de Monckeden, deforciant, of the Manor of **Horneby** with the Castle, honour, and soke, and the advowson of the Priory of Horneby, the Manor of **Malling** [*Melling*] and the advowson of the Church of Malling, and the lands of **Wra**, **Wraiton**, **Cancefeld**, **Weninton**, **Old Weninton**, **Tunstal**, **Argun** [*Arkholme*], and **Farleton**, with the appurtenances. A plea of warranty of charter had been summoned between them.³

¹ In Easter Term, 13 Henry III., in the King's Court, Robert Gresley puts in his place Robert de Perington *versus* Siering (*sic*) de Dumplington in a plea of land. The said Siering puts Ralph, son of Walter, in her place. She was the plaintiff. A day was given to them in three weeks from Michaelmas, at their request. (*C. R. Roll*, No. 101, m. 3 *dorso*). Upon that date they made concord as above.

² Dumplington is a hamlet in the township of Barton-upon-Irwell, parish of Eccles, 5 miles W.S.W. of Manchester.

³ In the King's bench at Westminster, in Trinity Term, 1229, Hubert de Burgh, Earl of Kent, and Margaret his wife, by their attorney, sued Henry de Muneghden in a plea to warrant to them the Manor of Horneby, and the Castle and Honour of Horneby, which they held by his charter. Henry did not appear, the summons was testified to. *Judgment*—that he be attached to appear in three weeks from the feast of St. John Baptist [15th July, 1229], and that he be attached in co. Suffolk. Upon which day he came and acknowledged that gift and charter. They have made concord and shall have a chirograph. (*C. R. Roll*, No. 102, m. 16).

This Final Concord demands a short history of the Manor and Castle of Horneby. Before the Conquest, (1) Ulf had one Manor in Mellinge, Hornebi and Wennigetun, where there were nine team-lands to geld. Orm had also a Berwick there, where there was one team-land and a half to geld. (2) In Whitetune [*Whittington*] Earl Tosti had one Manor, where there were six team-lands to geld. Appurtenant to this Manor were the following towns—

Henry acknowledged the said tenements to be the right of Hubert and Margaret, as those which they have of his gift; to

Neutune ij. carucates, Ergune [*Arkholme*] vj. c., Ghersinctune ij. c., Hotun iij. c., Cantesfelt [*Cantsfeld*] iij. c., Irebi [*Ireby*] iij. c., Borch iij. c., Lech iij. c., Bortune iij. c., Bernulfesuic j. c., Inglestune vj. c., Castretune iij. c., Berebrune iij. c., Sedbergt iij. c., Tiernebi ij. c. (3) In Benetain, Wininctune [*Wennington*], Tathaim [*Tatham*], Farelton, [*Farleton*], and Tunestalle [*Tunstall*], Chetel had four Manors, and there are [in A.D. 1086], in them, eighteen team-lands to geld, and three churches. These were all surveyed under Yorkshire, as in the West-riding, and they were included in the royal estate (*Terra regis*). In the reign of Henry I., (1) Melling, Hornby, and Wennington, composing the first mentioned estate (2), Arkholme and Cantsfield, forming only a small portion of the second estate (3), another portion of Wennington, Farleton and Tunstall, forming the greater part of the third estate, were held by Swain fitz Alric, together with other large estates in Cumberland and Yorkshire, presumably by grant from Henry I. He was a benefactor to the Priors of Pontefract and Nostel, and died before 1130, at which date his widow had been married to Hervey de Vecceio (*Pipe Roll*, 31 Henry I.) His son and heir, Adam fitz Swain founded the Priory of Monk-Bretton, and died before 1159 (*Pipe Roll*, 5 Henry II.), leaving two daughters, (1) Amabel, the eldest, who married *firstly* Alexander de Crevequeur, and *secondly* William de Nevill, and had her purparty in cos. Cumberland, and Yorkshire, and a moiety of Croston *cum membris*, in co. Lanc., and (2) Matilda, who married Adam de Montbegon, a military tenant of the Honour of Lancaster in cos. Lincoln, Lancaster and Suffolk, to whom she brought her purparty of the estates in Cumberland and Yorkshire, the Manor and Castle of Hornby, and the other moiety of Croston *cum membris*, in co. Lancaster.

Adam de Montbegon died before 1 Richard I., leaving issue Roger, his son and heir; Clemence, wife of Sir Eudo de Longvilers; Mabel, wife of Geoffrey de Nevill; and Alice, wife of Eward, or Eward de Bury. Roger de Montbegon was a stout adherent to the cause of his chief lord, John, Count of Mortain, on whose behalf he defended Nottingham Castle against the forces acting on behalf of King Richard, in 1194. He paid a fine of 600 marks for the King's pardon in 9 Richard I., and for restitution of his estates. He was also a benefactor to the Priors of Monk-bretton and Thetford. He married Olive, widow of Robert de St. John, about 1 John, and died about the middle of March, 1226, leaving no issue. By inquest made according to the King's precept, at Lincoln, before Martin de Patchull and his co-justices itinerant, by knights of the counties of Lincoln and Lancaster, it was found that Henry de Muneghdene was a relation, and next heir of Roger de Montbegon. The King having received his homage, directed the Sheriff of Lincoln to take security for the payment of relief of eight knights' fees, and to deliver seisin of Roger's estates. Writ dated at Windsor, 25th September, 1226. (*Fine Roll*, 10 Henry III., m. 3.) The relationship of the heir to Roger de Montbegon was ascertained at the Lincoln Assizes, 29 Henry III., as follows:—Agnes, sister of Adam de Montbegon married and had a son Robert, whose second son Robert, became heir to his father after the death

hold during the life of either of them, and after their decease to their heirs, of him and his heirs for ever, performing the service of half a knight for all service. And if they should die without heir of them issuing, the said tenements shall revert to Hubert's heirs, to hold of Henry and his heirs by right of inheritance for ever, by the said service. For this acknowledgment they gave him one goshawk of a year old (*austurcus sorus*).

No. 33.—At Westminster, on the morrow of St. Martin, 18 Henry III. [12th November, 1233].

Between William, son of Ralph, plaintiff, and William de Parles¹ and Matilda, his wife, tenants of the manor of **Thoredesholm** [*Torrisholme*], with the appurtenances.

William, son of Ralph, quit-claimed to William and Matilda, and the heirs of Matilda in perpetuity, all right in the manor. For this quit-claim they granted to him 16 acres of land with the appurtenances in Katon [*Caton*], to wit, those 16 acres which lie between the land of Ingerithe, formerly the wife of Thomas de Halton, and the land of Thomas de la More; to hold to him and his heirs, of them and the heirs of Matilda, rendering yearly one pair of steel spurs, or three pence, at the feast of St. Michael, for all service and demand.

of Henry, his elder brother without issue; Robert had issue Henry de Muneghden. This name seems to have been derived from Monewden, co. Suffolk, which was one of the eight knights' fees, which Roger de Montbegon held of the Honour of Lancaster. See also Fine No. 121, 20 Henry III., Divers Counties, *postea*.

It is difficult to see why the claims of Roger de Montbegon's daughters were overlooked, in favour of the great-grandson of his aunt Agnes, except on the ground that the inheritance passed in tail male. Ultimately, as will be seen hereafter, John de Longvilers recovered Hornby, in right of his mother Clemence, elder daughter of Roger de Montbegon.

¹ In Mich. Term, 1233, at Westminster, William de Parles gave half a mark for licence to concord with William, son of Ralph, in a plea of land. (*C. R. Roll*, No. 113, m. 24). Among the essoins taken at Westminster on the Quindene of St. John Baptist [8th July, 1233], William de Parles, by his attorney, Walter de Brid, and Matilda, wife of the said William, by Adam de Lancaster, were pledged to sue on the morrow of St. Martin. (*C. R. Roll*, No. 114, m. 1). John de Thoroldesholm held one carucate of land in Thoroldesholm in 1212 by serjeanty, viz., to cure venison, bacon, &c. His successor Nicholas de Thoroldesholm, died not long after, leaving a dau., Matilda, whose wardship Roger, clerk of . . . obtained. (*Testa*, ii, f. 664). She became the wife of William de Parles above-mentioned. Alan de Parles held this estate in 1297, in socage for 6s. 4d.

No. 34.—At Lancaster,¹ on the Octave of St. John, *ante portam Latinam*, 19 Henry III. [13th May, 1235].

Between Geoffrey de Chetham, plaintiff, and Robert de Middleton, impediēt, respecting one carucate of land with the appurtenances in **Chetham**. A plea of warranty of charter had been summoned between them.

Robert acknowledged the land to be the right of Geoffrey as that which Geoffrey has of his gift, to hold to him and his heirs of Robert and his heirs in perpetuity, rendering yearly one mark of silver at four terms, to wit, at the Nativity of our Lord 3s. 4d., at Easter 3s. 4d., at the feast of St. John the Baptist 3s. 4d., and at the feast of St. Michael 3s. 4d., for all service and demand. With warrentry. For this acknowledgment Geoffrey gave him twenty shillings sterling.²

No. 35.—At Lancaster, on the Octave of St. John *ante portam Latinam*, 19 Henry III. [13th May, 1235].

Between Gilbert de Kellet, plaintiff, and William de Tunstal, tenant of one carucate of land with the appurtenances in **Tunstal**. A jury of grand assize had been summoned between them.

Gilbert quit-claimed to William and his heirs in perpetuity, all right in the land. For this quit-claim William gave him twenty shillings sterling.

No. 36.—At Lancaster, on the Octave of St. John *ante portam Latinam*, 19 Henry III. [13th May, 1235].

Between Alexander, son of Alexander, plaintiff, and Ralph, son of Roger, tenant of one toft with the appurtenances in **Cliderow** [*Clitheroe*]. An assize of *mort d'ancestor* had been summoned between them.

Ralph acknowledged the toft to be the right of Alexander and rendered it to him, and quit-claimed all right therein to Alexander

¹ Final Concords of 29 pleas, heard before the Justices itinerant at Lancaster, on the 13th, 14th and 18th May, 1235, have been preserved, and are printed here, Nos. 34 to 62. The Justices were—Roger Bertram, Robert de Roos, William be York and Richard de Levington. In the *Pipe Roll* of 19 Henry III., the Sheriff accounted for £534 17s. 8d., for the amercements of men and townships, of which details were given in the Assize Roll, which the justices delivered to the Exchequer, now, unfortunately, no longer in existence. A few payments for chattels of felons are recorded, but no details of any concords are given.

² This Final Concord was cancelled by another made the following year. See No. 63.

and his heirs in perpetuity. For this acknowledgment Alexander gave him half a mark of silver.

No. 37.—At Lancaster, on the morrow of the Octave of St. John *ante portam Latinam*, 19 Henry III. [14th May, 1235].

Between Simon, son of Matthew,¹ plaintiff, and Alan de Kyrkeby,² deforciant, respecting common of pasture of **Brocton** [*Broughton-in-Furness*].

Simon quit-claimed to Alan and his heirs in perpetuity, all right in the common of pasture. For this quit-claim Alan granted that he and his heirs would render every year to Simon and his heirs four shillings for a tenement which he holds of him in Brocton, for which he formerly rendered only two shillings; to wit, one moiety at Easter, and the other moiety at the feast of St. Michael, for all service belonging to Simon or his heirs. And further Alan gave him six marks of silver. And if it happened that Simon's cattle, or those of his heirs strayed within the pasture of Alan or his heirs, between Welpesat and Styrespol, without a watch being set (*sine wardo facto*), they should be driven out without penalty.

No. 38.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between Ralph de Mitton, plaintiff, and Jordan de Wetelegh,³ tenant of half an oxgang of land with the appurtenances in **Hacton** [*Aighton*].

Jordan acknowledged the land to be the right of Ralph, and rendered it to him, and quit-claimed to Ralph and his heirs in perpetuity, all right therein. Moreover he quit-claimed to him all his right in the lands and tenements which belonged to Robert de Mitton, Ralph's father, in Mitton and Hacton. For this acknowledgment Ralph gave him two marks of silver.

No. 39.—At Lancaster, on the morrow of the Octave of St. John *ante portam Latinam*, 19 Henry III. [13th May 1235].

Between William, son of Robert, plaintiff, and Benedict, Prior of Burescho, tenant of 40 acres of land with the appurtenances in **Lathum**.

William quit-claimed to the Prior and his successors, and to his Church of Burescho, in perpetuity, all his right in the land.

¹ Simon, son of Matthew, of Broughton. See *Furness Coucher*.

² Alan de Kirkby, of Kirkby-Irleth. (*Ibid*).

³ See No. 19 *supra*. Jordan de Wetelegh took his name from Wheatley, a joint township with Thornley, in the parish of Chipping.

For this quit-claim the Prior granted to him all that land which Everard de Marton formerly held of the Prior in Marton; to hold to William for life, of the Prior and his successors, and of his Church of Burescho, rendering yearly 2s. 6d. sterling at the Nativity of the blessed Virgin Mary, for all service and demand. After his death the land to revert to the Prior and his successors, and to his Church of Burescho, quit of any claim by the heirs of William.

No. 40.—At Lancaster, on the Octave of St. John, *ante portam Latinam*, 19 Henry III. [13th May, 1235.]

Between Thomas de Middleton, plaintiff, and William de Lancastre, tenant of two carucates of land with the appurtenances in **Middelton and Kneton**.¹

Thomas acknowledged the land to be the right of William, to hold to him and his heirs, of Thomas and his heirs in perpetuity, rendering yearly one pound of cummin at Pentecost, and performing forinsec service belonging to two carucates of land, where twelve carucates make the service of one Knight's fee, for all service and demand. For this acknowledgement William gave him 12½ marks of silver.

No. 41.—At Lancaster, on the Octave of St. John, *ante portam Latinam*, 19 Henry III. [13th May, 1235.]

Between Richard de Bracebridge,² plaintiff, and Gilbert de

¹ This is a Yorkshire Fine, relating to Middleton Tyas and Kneton, Wapentake of Gilling West, in Richmondshire. From an extent of the lands of Peter of Savoy, made in 1282, it appears that William de Landsey, the descendant of William de Lancaster III., Henry de Middleton, and Alan de Kneton, each held the 3th part of a Knight's fee in Middleton Tyas and Kneton (*Yorks. Record Series*, xii., p. 235. See also *Kirkby's Inquest, Norths. Society*, xlix., p. 170). In a note on the Genealogy of the family of Lancaster, in the *Cockersand Charters*, p. 307, I have ventured to suggest a descent of this family from Ribaud, Lord of Middleham, who is supposed to have been connected with Alain, Earl of Brittany, the first Lord of Richmondshire. The history of William de Lancaster's connection with Middleton Tyas would be interesting, and might throw light on the genealogy of that family.

² Richard de Bracebridge (circa 1242) appears to have been a tenant of Thomas Grelley, in Lincolnshire. "Richard, son of William, holds half a Knight's fee in Bracebridge and Canwick, of the fee of Thomas Grelley, who holds of the King in chief, as of the Honour of Lancaster *de veteri feoffamento*," (*Testa* ii., f. 464). Robert de Bracebridge, who had been entailed of two oxgangs of land in the demesne lands in Manchester, by Allant Grelley (1160—1188), was probably the ancestor of Richard, as the heirs of Robert were said to be in possession of that land in 1212. (*Testa* ii., f. 523). There is

Barton,¹ tenant, respecting the fee of one knight and a half, with the appurtenances in Barton. A jury of grand assize had been summoned between them.

Richard quit-claimed to Gilbert and his heirs, in perpetuity, all his right in that fee. For this quit-claim Gilbert granted to him three oxgangs of land with the appurtenances in Bruneshop [*Boysnope*], to wit, whatever he (Gilbert) had in the town of Bruneshop on the day

no evidence as to the grounds of Richard's claim against Gilbert, but it is probable that there was a relationship by marriage between Barton and Bracebridge. A similar claim against Gilbert de Barton was made in the year 1241. See No. 98, *postea*.

¹ In the reign of Henry II. Worsley and Hulton *cum membris*, consisting of 14 oxgangs of land, were held of the King in thanage by Augustine de Barton by the yearly service of 26s. (*Schedule of the ferm of Salford Hundred, Pipe Roll*, 5 Henry III). In 1195-6, Hugh Purcell proffered 5 marks for a writ of right to sue Edith, Lescelina and Matilda for the fourth part of two Knight's fees in Barton and Worsley. Robert Grelley was his surety. (*Lancashire Pipe Rolls*, pp. 94, 96). In Easter Term, 4 John, in the King's Court, the assize between Eda, dau. of Matthew, plaintiff, and Richard de Worsley, tenant, of 40 acres of wood and appt. in Worsley, to remain over, because she has a husband, who is not named in the writ. (*C. R. Roll*, No. 26). A further entry states that the assize between Gilbert de Notton and Eda his wife, plaintiffs, and the said Richard, respecting half a carucate of land with appt. in Worsley to remain over, because Eda has sisters who are not named in the writ. (*Ibid.*). No further reference to this suit is to be found in these Rolls, but the Survey of 1212 affords the further information that "Gilbert de Nocton holds in right of his wife 14 oxgangs of the King in thanage by the service of 26s. Richard de Wyrkedale (*Worsley*) holds one carucate [*i.e.* Worsley] of the same Gilbert by the service of 16s. 8d." (*Testa* ii., f. 825). "Gilbert de Notton holds with the lady of Barton, the fee of one Knight and a half of Robert Grelley; and Thomas de Wythington (read *Worthington*) holds the fee of half a Knight of the same Robert, of ancient feoffment." (*Ibid.*, f. 822). It may be assumed from these particulars that Barton, Worsley and Hulton, were held *temp.* Henry II. by Augustine de Barton, and that he was succeeded by Matthew de Barton, who died young, leaving three daughters named above. The eldest, Edith—who had a daughter and heiress by a first husband—married *secondly* Gilbert de Notton, or Nocton, a Lincolnshire man, who held various other estates in Lancashire, chiefly in Roger de Montbegon's fee of Tottington. As Gilbert's son was named William, he may possibly be identified as the William de Notton who in 1212 held Brightmet (1 carucate) of Roger de Marsey, then under age. This William married the daughter and heiress of Edith de Barton, by whom he had issue a son, Gilbert de Notton, who assumed the name of Barton upon succeeding to the estates of his *maternal* grandmother, Edith de Barton. (Further reference to these important corrections in the pedigree of Barton, as given in the *Coucher Book of Whalley*, p. 45, will be found in the note to No. 93, 26 Henry III., *postea*).

that this concord was made, except the town mill, which shall quietly remain to Gilbert and his heirs; to hold to Richard and his heirs, of Gilbert and his heirs, rendering yearly four barbed arrows, or one penny, at the feast of St. Michael, for all service, saving forinsec service. And be it known that Richard de Bruneshop (*sic*) shall be quit of multure [at Boysnope Mill] for ever.

No. 42.—At Lancaster, on the Octave of St. John, *ante portam Latinam*, 19 Henry III. [13th May, 1235].

Between John, Prior of Cuningesheued,¹ plaintiff, and William de Parles, tenant of one carucate of land with the appurtenances in **Pulton**.²

The Prior quit-claimed from himself and his successors, and from his church of Cuningesheued, to William and his heirs in perpetuity, all right in the land. For this quit-claim William granted to the Prior half an oxgang of land, and one toft, and one croft, with the appurtenances in the said town of Pulton, to wit, the half oxgang and the toft, which Richard, son of William, formerly held, and the croft which William, son of Andefrey, formerly held; to hold to the Prior and his successors and to his church, of William and his heirs, in free, pure and perpetual alms, quit from all secular service and demand.

No. 43.—At Lancaster, on the Octave of St. John, *ante portam Latinam*, 19 Henry III. [13th May, 1235].

Between Elias de Stiveton, plaintiff, and William de Lancastre, whom Hereward, Abbot of Cokersand, called to warranty, and who gave warranty to him, respecting one carucate of land with the appurtenances in **Midelergh** [*Medlar*].³ An assize of *mort d'ancestor* had been summoned between them.

Elias quit-claimed to William and his heirs in perpetuity, all right in the land. For this quit-claim William gave him 25 marks of silver.

No. 44.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between Richard Waleys (*Walensis*), Blethin de Acton, and Madoc de Acton, plaintiffs, and Roger Gernet and Quenild his

¹ Conishead Priory, par. Ulverston, founded *temp.* Hen. II. by Gabriel de Pennington.

² Poulton-le-Sands, par. of Lancaster. An account of the family of Parles will be found in Baines' *History of Lancashire*, edit. 1870, vol. II., p. 578.

³ See *Cokersand Chartulary*, s. t. Midelhargh, p. 167 n.

wife, Thomas de Bethum, and Avice de Mullum, deforciant, by the said Roger, put in the place of the said Quenild and Avice, respecting the advowson of the Church of **Acton**¹ with the

¹ Aughton, a parish in the hundred of West Derby. Before the Conquest, Uctred the thane held Dalton, Skelmersdale, Up-Litherland, and Aughton. Each Manor consisted of one team-land, and each was worth 32d. There was another place called Achetun, also held by a thane called Uctred, but it was Aston juxta Sutton, afterwards a member of the barony of Widnes. As Up-Litherland, a manor and hamlet in the parish of Aughton, is historically connected with Aughton, some account of both places is given here.

Henry II. gave Up-Litherland to Warin de Lancaster, his Chief Falconer to hold with other estates, by falconry. This grant was confirmed by John, Count of Mortain (1189-1194), to Henry de Lancaster, son of Warin, and again after John became King. (*Charter Roll*, 1 John, Pt. 1, m. 5.) By charter dated 23rd August, 1207, the King granted to Henry de Lancaster the Manor of English Lea, in exchange for Liverpool and Up-Litherland, which Henry had resigned, and confirmed the previous grants of the remainder of Henry's estates, to hold in fee farm for 20s., instead of by serjeanty. (*Ibid.* 9 John, m. 6.) In the Survey of 1212, Richard le Waleys (*Walensis*), is returned as holding one carucate in Litherland of the King for 10s. (*Testa* ii., f. 814.) He died between 1217 and 1221, for in the latter year, Richard his son fined 40s. for his relief. (*Fine Roll*, 6 Henry III., m. 9.) Quenild, the widow of Richard le Waleys, was of the King's donation at this time, and her land was valued at half a mark. (*Testa* ii., f. 662).

Aughton was held *temp.* Henry II. by Richard, son of Roger (the well known founder of Lytham Priory), of the King in chief by military service, but whether in his own right, or in right of his wife Margaret, dau. and co-heiress of Thurstan Banastre, is uncertain. It was included in his dau. Quenild's purparty. She married Roger Gernet, Chief Forester of Lancashire, but having no issue by him, her sisters' heirs became entitled after her death to this and her other estates. Accordingly in the above Fine, in addition to her husband, she was joined by Thomas de Beetham, who had married her sister Amuria, and by Avice, widow of William de Millum, another sister, as deforciant. Quenild died about the middle of April, 1252, and in the inquisition taken after her death, "Achton in Derbischyr" appears among her various estates, consisting of one team-land held of William, Earl Ferrers by military service. (*Escaeta*, 36 Henry III., No. 63.) Roger Gernet, her husband, had pre-deceased her about a month. According to an Extent taken about the year 1320, Ralph de Beetham held two-thirds of the Manor of Aughton, by homage and fealty in socage; Nicholas de Eton and Margaret (*sic, but read Joan*), his wife, in her right, held one-third of the Manor. Richard Walsh held the advowson of the church of Aughton, and the hamlet of Up-Litherland by service of 10s. for all services. (*Book Feodary*.) As is probably well known, Nicholas de Eton had married Joan de Stockport, heiress to the barony of Stockport, the above third part of Aughton, being the share which had descended to her from her ancestress Matilda, dau. and co-heir of Richard, son of Roger, above-named.

appurtenances. An assize of last presentation had been summoned between them.

Roger, Quenild, Thomas and Avice acknowledged the advowson to be the right of Richard, Blethin, and Madoc, and rendered it to them in the said court, and quit-claimed from themselves and the heirs of Quenild, Thomas, and Avice, to Richard, Blethin, and Madoc and their heirs in perpetuity, all right therein. For this acknowledgment Richard, Blethin, and Madoc gave them two marks of silver.

No. 45.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between Richard de Trafford, plaintiff, and Robert de Hilton, deforciant, respecting common of pasture in **Russum** [*Rusholme*].

Richard quit-claimed to Robert and his heirs in perpetuity, all right in that common of pasture, saving, nevertheless, to himself and his heirs common of pasture on the stubbles and fallow land (*in stipulis et warettis*) of Robert and his heirs, in Russum, within these bounds, to wit, between the dyke which Richard de Hilton raised, and the land which Hugh de Haselum

This Fine, and an inquest "*de anno et die*," taken at West Derby in the year 1282 (*Escaeta*, 11 Edward I., No. 62), supply some interesting information about the family of the plaintiffs above-named. By writ, dated at Rhuddlan, 27th September, 1282, the King sent word to the Sheriff of Lancaster to seize the land and tenements of "Guy (*Wido*), son of Madoc, son of Bleddyn, a Welshman, and an enemy and rebel against ourselves in the parts of Wales, who was lately killed in the company of our foes." The inquest, taken by a jury of West Derbyshire free tenants, found that the said Guy held a messuage and one carucate of land in Aughton (*Acton*), and also sundry parcels of land assarted from the wastes, worth 29s. 4d., which he held in demesne. The rents of the free tenants amounted to 9s. yearly, and he held the whole of Evan (*Ayrum*, *Eyvan*), his brother, for 12d. yearly. It seems, therefore, that the three plaintiffs named in the Fine, held Up-Litherland and Aughton between them, and that Richard le Waleys, who died in 1221, and Bleddyn de Acton were brothers, and Madoc de Acton, the son of Bleddyn. The similarity of these names with those given in the earlier generations of the pedigree of Halghton, *alias* Rylands, of West Houghton (*Hist. of Lancashire*, edit. 1891, vol. iii., p. 162) suggests a doubt as to whether the Halghton named in the Assize Roll of 30-31 Henry III., is not Aughton, rather than West Houghton.

In the thirteenth century Aston-juxta-Sutton, and Aughton, both in West Derby Hundred, Haighton in the parish of Preston, Aighton in the parish of Mitton, and Aughton in the parish of Halton in Lonsdale, were all usually described "Acton," consequently difficulty often arises in distinguishing which of these places is referred to. West Houghton was usually styled "Halcton."

formerly held. For this quit-claim Robert gave him one mark of silver.

No. 46.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between John de Cancefeld, plaintiff, and Joan de Cancefeld, Utred Prat, Alice his wife, and William Kidel, tenants of three oxgangs of land with the appurtenances, except half an acre, in **Cancefeld** [*Cantsfeld*]. An assize of *mort d'ancestor* had been summoned between them.

John quit-claimed to Joan, Utred, Alice and William, and the heirs of Joan, Alice and William, in perpetuity, all right in that land, except in the half acre. For this quit-claim Joan, at the request of Utred, Alice and William, rendered to John one oxgang of land, which she held in dower in the said town of Cancefeld, to wit, that which John de Cancefeld formerly held, and quit-claimed to him and his heirs all her right therein in name of dower.

No. 47.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between Robert de Carrhou, plaintiff, and William Gawrad, tenant, by Robert, son of Edulf, put in his place, of eight acres of land with the appurtenances in **Little Heton**.¹

William acknowledged the land to be the right of Robert, and rendered it to him, and quit-claimed to Robert and his heirs in perpetuity, all right therein. For this acknowledgment Robert gave him five marks of silver.

No. 48.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between Robert de Carrhou, plaintiff, and Edulf, son of Roger, tenant, by Thomas his son put in his place, of thirteen and a half acres of land with the appurtenances in **Little Heton**.

Edulf acknowledged the land to be the right of Robert. For this acknowledgment Robert granted it to him, to hold to him and his heirs, of Robert and his heirs, in perpetuity, rendering yearly 40½d. at two terms, to wit, at Pentecost 20½d. and at the feast of St. Martin 20d., and a halfpenny yearly for cornage² at the feast of St. Michael, for all service and demand.

No. 49.—At Lancaster, on the Octave of St. John *ante portam Latinam*, 19 Henry III. [13th May, 1235].

¹ Little-Heaton, parish of Prestwich.

² A service for land, rendered in cattle instead of money.

Between Richard de Copland, plaintiff, and Roger de Heton and Agnes, his wife, impediens, respecting four oxgangs of land with the appurtenances in **Bowolton**.¹ A plea of warranty of charter had been summoned between them.

Roger and Agnes acknowledged the land to be the right of Richard, as that which he has of their gift, to hold to him and his heirs of them and their heirs in perpetuity, rendering yearly one pair of white gloves, or one penny, at the Nativity of our Lord, for all service, saving forinsec service; and they and their heirs will warrant the land to him and his heirs for ever. For this acknowledgment Richard gave them one sor sparrowhawk.

No. 50.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [19th May, 1235].

Between Walter de Tatham, plaintiff, and Ralph, Abbot of Croxton,² tenant, by brother Andrew, his monk, put in his place, of sixty acres of land with the appurtenances in **Wytewra** [*Whiteray*].³

The Abbot granted to Walter twenty acres of the said land, to wit, those which lie near Walter's land between Midelgile⁴ and Botnebek,⁵ towards the north, to hold to him and his heirs, of the Abbot and his successors, and of his church of Croxton in perpetuity, rendering yearly one penny at Easter, to the house of Horneby for all service and demand. For this grant Walter quit-claimed to the Abbot and his successors, and to his church of Croxton, all right in the remainder of the land.

[Endorsed on the back].—The Earl of Kent [Hubert de

¹ The manor of Bolton, parish of Urswick, in Furness, was long in the possession of the Copeland family. It was given by Richard de Copeland to the Abbey of Furness in the latter part of the fourteenth century. (*Annales Furnesienses, passim.*)

² The foundation of Hornby Priory has been already referred to (p. 51). It is not known at what date, or by whose deed it became a cell to the Premonstratensian Abbey of Croxton in Leicestershire. It seems probable, however, that when Hubert de Burgh acquired Hornby from Henry de Monewden, he gave the foundation at Hornby to Croxton, as some sort of compensation for lands in Croxton, of which he had deprived them. See *Monasticon*, vi. p. 877. Adam de Montbegon gave the churches of Melling and Tunstall to the Abbey of Croxton, co. Leicester, during the reign of Henry II. (*Nichols' Hist. of Leicestershire*).

³ "Whiteray" is the name of a messuage in Tatham.

⁴ "Middlegill" divides Tatham from Botton.

⁵ "Botton Beck."

Burgh], put in his claim to chase, and to the hawks which any persons might take, and also in case his cattle should enter upon that land.

No. 51.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May 1235].

Between Matthew de Bromhal and Ellen, his wife, plaintiffs, and Reyner, son of Henry, tenant of two oxgangs of land with the appurtenances in **Buterwrth**.¹ An assize of *mort d'ancestor* had been summoned between them.

Matthew and Ellen quit-claimed from themselves and the heirs of Ellen, to Reyner and his heirs in perpetuity, all their right in the land. For this quit-claim he gave them forty shillings sterling.

No. 52.—At Lancaster, on the morrow of the Octave of St. John *ante portam Latinam*, 19 Henry III. [14th May, 1235].

Between Mabel, who was the wife of Geoffrey de Staleminne,² plaintiff, and Robert, Abbot of Furneis, tenant of the third part of half an oxgang of land with the appurtenances in **Staleminne** [*Stalmine*], which she claimed to be her reasonable dower of the free tenement which belonged to Geoffrey, formerly her husband, in the said town.

Mabel quit-claimed to the Abbot and his successors and to his church of Furneys, in perpetuity, all her right in the name of dower in the said third part. For this quit-claim the Abbot gave her half a mark of silver.

No. 53.—At Lancaster, on the Octave of St. John *ante portam Latinam*, 19 Henry III. [13th May, 1235].

Between Robert de Flayneburg³ and Alice, his wife, plaintiffs.

¹ Butterworth, a township in the parish of Rochdale. See Fishwick's *History of the Parish of Rochdale*, p. 113.

² Geoffrey de Stalmine was the son of Alan, who was a younger son of Robert de Stalmine, a benefactor to Furness Abbey, to which he gave one carucate of land called "Corcold," in Stalmine. Alan received from his father for his filial portion two oxgangs for his homage and service. (*Testa* ii., f. 820).

³ Before the year 1211, Roger de Lacy gave to Robert de Flamborough in marriage with Alice, daughter and heiress of Robert de Liversedge, 10½ oxgangs and the third part of half an oxgang of land for 20s. yearly service. This estate probably included the whole of Hundersfield. (*Testa* ii., f. 818). Robert de Flamborough died in the year 1246, when his son, Roger de Flamborough had livery of the ninth part of a knight's fee

and Andrew de Hunewrthefeld, and Peter, and Alexander, his brothers, tenants of half an oxgang of land with the appurtenances in **Hunewrthefeld** [*Hundersfield*].

Andrew, Peter and Alexander acknowledged the land to be the right of Alice. For this acknowledgment Robert and Alice granted it to them, to hold to them and their heirs, of Robert and Alice, and the heirs of Alice in perpetuity, rendering yearly eight pence at the feast of St. Martin for all service saving forinsec service. Moreover Andrew, Peter and Alexander quit-claimed from themselves and their heirs, to Robert and Alice, and the heirs of Alice, all their right in the wood of Walseden, and in all other woods which belong to the said town of Hunewrthefeld, saving nevertheless to themselves and their heirs reasonable estover in the said woods for "Husbote & Haybote," by view of the foresters of Robert and Alice, and her heirs, without hindrance; and saving to Andrew, Peter and Alexander, and their heirs, common of herbage in those woods for their cattle of Hunewrthefeld. And be it known that it shall be lawful for Robert and Alice, and the heirs of Alice to assart the whole of that wood, which is on the north side of Lichitheselegh, and there to make meadow or arable land at their will, and to put up forges, and dig for iron and steel ore to supply those forges, wherever they will on the moors and in the woods which belong to the town of Hunewrthefeld.¹

No. 54.—At Lancaster, on the Octave of St. John *ante portam Latinam*, 19 Henry III. [13th May, 1235].

Between Gilbert de Kellet, plaintiff, and Roger, son of Adam, tenant of one oxgang of land with the appurtenances in **Tunstall**. A jury of grand assize had been summoned between them.

Gilbert quit-claimed to Roger and his heirs in perpetuity, all right in this land. For this quit-claim Roger gave him ten shillings sterling.

No. 55.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235.]

which his father had held in Yorkshire of John de Lacy, Earl of Lincoln. (*Fine Roll*, 31 Henry III, m. 13). Afterwards the Liversedge family appear to have again been in possession of Hundersfield. (Fishwick's *History of Rochdale*, p. 95), but in 1311 John de Eland held Hundersfield (one carucate) of the Earl of Lincoln for homage and service 60s.

¹ The etymology of this place-name appears to be the "hills (*feld*) around the homestead (*worth*) of *Hun* or *Hunne*."

Between Adam, son of Gilbert,¹ plaintiff, and Siward de Saleby, tenant of one oxgang of land with the appurtenances in **Saleby** [*Salesbury*]. An assize of *mort d'ancestor* had been summoned between them.

Siward granted to Adam one acre and one rood of the said land, to wit, those which lie between Brademedwe and Clouwes; to hold to him and his heirs, of Siward and his heirs in perpetuity, rendering yearly one penny at the Nativity of our Lord, for all service and demand. For this grant Adam quit-claimed to Siward and his heirs all his right in the remainder of the land. And Siward gave Adam one mark of silver.

No. 56.—At Lancaster, on the morrow of the Octave of St. John *ante portam Latinam*, 19 Henry III. [14th May, 1235].

Between William de Pres, plaintiff, and Gilbert de Croft,² tenant of two carucates of land with the appurtenances in

¹ Adam de Healey (in Salesbury), son of Gilbert de Salesbury, gave to the monks of Salley all his dead wood in Healey wood. Witnessed by Geoffrey, dean of Whalley, Henry, parson of Blackburn, and Roger, clerk of Blackburn (*Coucher of Salley*, f. 81b). Gilbert de Healey also gave them an acre of land in the town field of Salesbury, near land belonging to them, which Siward de Salesbury holds. Witnessed by Ralph de Clayton, Robert de Mitton, Robert de Bolton. (*Ibid.*, f. 81).

² The family of Croft acquired their surname from the estate of Croft in West Derby Hundred. Roger de Croft, the first of the name, was falconer to John, Count of Mortain (1189-94). Gilbert, his son, appears in the Survey of 1212 as holding one carucate in Croft by serjeanty, one and a half carucate in Southworth in fee farm for 20s. (these were both members of the fee of Makerfield), and two carucates in Dalton in Lonsdale in thanage for 10s. (*Testa*, ii., f. 834). Hugh de Croft, probably a brother of Gilbert, held five oxgangs in Croft of the said Gilbert. The first-named Gilbert was the ancestor of a long line of Crofts, who held estates in Dalton, Leighton, Silverdale, Claughton, Over-Kellet, and Whittington, until in the fifteenth century, the daughters and heiresses of James Croft conveyed these estates into the families of Legh of Lyme, and Middleton of Middleton in Lonsdale. Between October, 1213, and July, 1219, Gilbert de Croft, son of Roger, alienated Southworth and Croft to Gilbert, son of Hugh de Croft, which grant was duly confirmed by Thurstan Banastre, lord of Makerfield. (*Dodsworth MSS.*, liii., ff. 20b, 23). Thenceforth the grantee assumed the name of Southworth, and his son, as Gilbert, son of Gilbert de Southworth, had a grant of two oxgangs in Croft from Robert Sceryswerz some time after 1232, the witnesses being *inter alios* Sir Robert de Lathom and Sir Henry de Torlock. (*Ibid.*, f. 17b).

Birtone [*Burton-in-Kendal*] and **Dalton**. A jury of grand assize had been summoned between them.

William quit-claimed to Gilbert and his heirs in perpetuity, all his right in the land. For this quit-claim Gilbert gave him twenty shillings sterling.

No. 57.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between Adam de Copenewra, plaintiff, and Benedict, son of Ketel,¹ tenant of one oxgang of land, with the appurtenances in **Gersingham**.

Adam acknowledged the land to be the right of Benedict, to hold to him and his heirs, of Adam and his heirs in perpetuity, rendering yearly sixpence at the feast of St. Michael, for all service pertaining to Adam or his heirs, and acquitting the land towards the chief lords of that fee, of all other services belonging to the said land. For this acknowledgment Benedict gave him forty shillings sterling.

No. 58.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between Robert, Abbot of Furneys, plaintiff, and Matthew de Redeman and Amabel his wife,² impediens, respecting the

¹ A number of persons held land in Gressingham by "forestry" or by "falconry" (*Testa*). Adam, son of Ketel, gave land there to the monks of Cockersand, and Gilbert, son of Ketel, occurs in a Final Concord of 4 John, No. 10 (p. 12). Possibly they may have been brothers of Benedict. Dolfin de Gressingham occurs in the *Pipe Roll* of 1184. William, his son, was a benefactor to Cockersand Abbey, and together with William, son of Gilbert, held two oxgangs by forestry. Barnard, who was living in the time of Henry II., seems to have possessed half the township, viz., one carucate. He had two sons, Bernard and Geoffrey. In the reign of King John, Margery, widow of the said Bernard, held two oxgangs by serjeanty, which the elder Barnard had given to her husband. Geoffrey, the other son, had six oxgangs, which descended to his daughter Alice, who married Thomas de Gersingham, son of Adam de Capernwray, or Coupmanwray. She died in 1227, when her grandfather Adam proffered 100s. for her wardship, which was, however, granted to her father on 12th March, 1227, in consideration of his proffer of 10 marks (*Fine Roll*, 11 Henry III., m. 8). Adam de Coupmanwray died in 1236, when Thomas de Gressingham, his son, gave 15s. 6d. for his relief, and had livery of his father's estate on the 17th July, 1236 (*Ibid.*, 20 Henry III., m. 6). After that date he seems to have adopted the name of Coupmanwray.

² Matthew de Redmayne, or Redman, was son and heir of Henry de Redman, seneschal of Gilbert fitz Reinfred. On the 12th December, 1215, Henry de Redman was delivered to Robert de Courtney to keep in

fourth part of the Manors of **Carleton** and **Dreg**¹ with the appurtenances. A plea of warranty of charter had been summoned between them.

Matthew and Amabel acknowledged the fourth part of these Manors to be the right of the Abbot, and of his church of furnes, as that which he and his church have of their gift; to hold to him and his successors, and to his church in perpetuity, performing to the chief lords of that fee for Matthew and Amabel, and Amabel's heirs, forinsec service belonging to that fourth part, for all service and exaction. And Matthew and Amabel and the heirs of Amabel will warrant the said fourth part to the Abbot and his successors, and to his church, by the said service. For this acknowledgment the Abbot gave them forty marks of silver.

No. 59.—At Lancaster, on the morrow of the Octave of St. John *ante portam Lantinam*, 19 Henry III. [14th May, 1235].

Between Ellen, who was the wife of Richard de Ryminton, plaintiff, and Adam de Bredekyrk, tenant of one oxgang of land with the appurtenances in **Westhus**.²

duration, having been taken prisoner with the rebel barons at the fall of Rochester Castle. On the 22nd January, 1216, Norman, his son and heir, was named as one of the hostages given by Gilbert fitz Reinfred for his pardon, and for the release of his knights from prison. In May, 1222, William de Lancaster, son and heir of Gilbert fitz Reinfred, complained that Norman, son of Henry de Redman, Richard, son of Roger de Kirkby, and the son of William de Windesore, returning to their own country after being released from hostage, had been seized by Philip Mark, Sheriff of Nottingham, who had lodged them in Nottingham Castle. The writ for their release was dated 19th May, 1222. (*Close and Fine Rolls, passim*).

¹ Carleton and Drigg are in the ward of Allerdale-above-Derwent. This Fine therefore belongs to Cumberland. The fourth part of these villas was given to Furness by Matthew de Redman, with the consent of his wife Amabel, of whose dower it was. (*Furness Coucher*, Add. MS., 33, 244, f. 189). I have not been able to discover the parentage of Amabel, wife of the above-named Matthew. These manors were members of the Stutevill fee in Cumberland, which Joan, daughter and co-heiress of Nicholas de Stutevill, lord of Liddel, conveyed by marriage to Hugh Wake. Amabel was probably a Greystock or a Harrington, as these families held the two manors between them *temp.* Henry III. and Edward I.

² Westhus, or Westhusham, now called Wesham, is a joint township with Medlar, in the parish of Kirkham. Mowbrick and Bradkirk were demesnes in this township. In the 47 Henry III., Roger de Heaton died seised of the manor of Westesham, containing eight oxgangs of land, which he held of the king in chief by the yearly service of 4s. It was a member of the Boteler fee of Weeton, which at that time (1262-3) was in the king's hands.

Ellen acknowledged the land to be the right of Adam, to hold to him and his heirs, of her and her heirs in perpetuity, rendering yearly sixpence at four terms, to wit, at the Nativity of our Lord 1½d., at Easter 1½d., at the feast of St. John the Baptist 1½d., and at the feast of St. Michael 1½d., for all service, saving forinsec service. For this acknowledgment Adam gave her half a mark of silver.

No. 60.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between Hamon de Oregrave, plaintiff, and Robert, Abbot of Furneys, tenant of half an oxgang, and half an acre of land, except five and a half acres of land with the appurtenances in **Oregrave**.¹

Hamon quit-claimed to the Abbot and his successors, and to his church of Furneys, all his right in the land, except as aforesaid. For this quit-claim the Abbot gave him two marks of silver.

No. 61.—At Lancaster, on the morrow of the Ascension of our Lord, 19 Henry III. [18th May, 1235].

Between William Aaron and Godith his wife, plaintiffs, and Hugh de Morewyc, tenant of three oxgangs of land with the appurtenances in **Farleton**.²

William and Godith quit-claimed from themselves and the heirs of Godith to Hugh and his heirs in perpetuity, all their right in the land. For this quit-claim Hugh gave them four marks of silver.

No. 62.—At Lancaster, on the morrow of the Octave of St. John, *ante portam Latinam*, 19 Henry III. [13th May, 1235].

Between Robert, Abbot of Furneys, plaintiff, and Hamon, son of Roger de Houegrave, impediens, respecting a certain iron mine (*minera ferri*) with the appurtenances in **Houegrave** [*Orgrave*]. A plea of warranty of charter had been summoned between them.

Hamon acknowledged the mine to be the right of the Abbot, and of his church of Furneys, as that which he and his church have of the gift of Roger de Houegrave, father of Hamon, whose heir he is; to hold to the Abbot and his successors and church, of Hamon and his heirs, in free, pure and perpetual alms for

¹ Orgrave in the parish of Dalton-in-Furness. Various references to Hamon de Orgrave will be found in the *Furness Coucher*, pp. 249–255 *passim*.

² Cf. note to Fine No. 54, *temp.* John, p. 31.

ever, quit from all secular service and exaction. Hamon and his heirs will warrant the said mine to the Abbot and his successors, and to his church as aforesaid. The Abbot has received Hamon and his heirs into every benefit and prayer hereafter to be made in his church of Furneys.

No 63.—At Nottingham, on the day of St. Michael, 20 Henry III. [29th September, 1236].

Between Geoffrey de Chetham, plaintiff, and Robert de Middleton, respecting one carucate of land with the appurtenances in **Chetham**, whereupon Geoffrey complained that Robert had not acquitted him towards the chief lords of that fee, of forinsec service belonging to that land. A plea "of fine made" had been summoned between them.¹

Robert acknowledged the land to be the right of Geoffrèy, to hold to him and his heirs of Robert and his heirs in perpetuity, rendering yearly one mark of silver at four terms, to wit, at the Nativity of our Lord 4od., at Easter 4od., at the Nativity of St. John the Baptist 4od., and at the Feast of St. Michael 4od., for all service belonging to Robert or his heirs. And Geoffrey and his heirs shall acquit the land towards the chief lords of that fee, of all other services belonging to that land. For acquittance of the said service to the chief lords, Robert granted to Geoffrey, the homage and service of Henry de Walley and his heirs, from the tenement which Henry beforetime held of Robert in the town of Assewrthe.² And Robert and his heirs shall give every year to Geoffrey and his heirs, for the said acquittance forty pence, to be received at Middleton by the hands of Robert and his heirs at the said four terms, to wit, ten pence at each term, to hold to Geoffrey and his heirs of Robert and his heirs for ever, rendering yearly one pair of iron spurs, or three pence at the Nativity of our Lord, and performing forinsec service for Robert and his heirs to the chief lords of that fee, for the land of Assewrthe, which the said Henry holds, as much as belongs to that land, for all service and exaction. And if Robert or his heirs shall make

¹ Cf. Fine No. 34, *temp.* Henry III., p. 59.

² Ashworth, a chapelry in the parish of Middleton in Salford Hundred. Henry de Whalley would be son of Geoffrey the younger, dean of Whalley. He had land also in Spotland. (*Whalley Coucher*, p. 745). He was a benefactor to Fountains Abbey, and is said to have married Eleanor, daughter of Simon de Monhaut, or Montalt, by whom he had a son, Geoffrey de Whalley, living in 1261. (*Whitaker's History of Whalley*, ii., p. 191).

default in payment of the said 40d. at any of the said terms, it shall be lawful for Geoffrey and his heirs to distrain Robert and his heirs by their cattle upon their estate of Middelton, until full payment of the said 40d. yearly be made. Henry de Walley was present when this concord was made, and did homage to Geoffrey. And be it known that the fine formerly made between them, so far as relates to forinsec service belonging to the land of Chetham, shall be cancelled by this fine.

No. 64.—At Westminster, in one month from Easter, 20 Henry III. [27th April, 1236].

Between William, Earl Ferrers, and Agnes, his wife, plaintiffs, by Josseus de Chelvestun, and John de Kent put in their place, and Herbert, Prior of Marseye¹, impediēt, by brother Robert de Marseye put in his place, respecting the advowson of the church of **Botheltun** with the appurtenances. An assize of last presentation had been summoned between them.

William and Agnes acknowledged the advowson of the church to be the right of the Prior, and of his church of Marseye, and quit-claimed it from themselves and the heirs of Agnes to the Prior and his successors, and to his church of Marseye in perpetuity. The Prior received William and Agnes and the heirs of Agnes into all the benefits which should be thereafter made in his church of Marseye.

¹ At Westminster, in Easter Term, 20 Henry III., the Prior of Marsey gave one mark for licence to concord with William, Earl Ferrers, respecting an assize of last presentation, of the advowson of the church of Boltun. (*C. R. Roll*, No. 116, m. 6). This Fine refers to co. Nottingham. Mattersey, or Marsey Priory, was founded before 1192 by Roger, son of Ranulf de Marsey, for six Gilbertine monks. So says Thoroton, but it must have been before 1186, for Roger died in or before that year. (*Lancashire Pipe Rolls*, p. 61). The rectory of Boulton in Nottinghamshire (?) was doubtless part of the original foundation. This family had a large estate in Lancashire, consisting, however, only of services, and without any demesne. Roger de Marsey, son of Ranulf, son of the above-named Roger, in the year 1230 disposed of the whole of his Lancashire estates, including the manor of Bolton-le-Moors, and various rents and services in twenty-three other places in the Hundreds of Salford, Leyland, and Lonsdale, to Ranulf, Earl of Chester. The Earl died in 1232, when the above estate devolved upon William Ferrers, Earl of Derby, who had married Agnes, the Earl's third daughter, together with the other large possessions between the Ribble and Mersey, which Henry III. had granted to the Earl of Lincoln in the year 1228.

No. 65.—At Westminster, in one month from Easter Day, 22 Henry III. [1st May, 1238].

Between Simon Grubeheued, plaintiff, by Walter de Skaresbrek put in his place, and Robert de Lathum, deforciant, respecting three carucates of land in Chaldewall, three carucates in Raby, and two oxgangs in Lasarghe,¹ whereupon Simon complained that Robert did not observe the fine made in the King's court at Westminster,² between the said Simon, and Richard, son of Richard, brother of the said Robert, whose heir he is,³ concerning the said land.

Simon quit-claimed to Robert and his heirs, all his right in the land. For this quit-claim Robert gave him four score marks of silver. This cancels the previous fine.

No. 66.—At Lancaster, on the morrow of St. Martin, 26 Henry III [12th November, 1241].

Between John, Abbot of Fountains, by brother Robert, his Monk, put in his place, and William de Percy,⁴ by Richemann Calle, put in his place, upon the plea that the said William deforced him from pasture in Longestrode,⁵ contrary to the charters of his ancestors and his own, which the said Abbot has, and which William acknowledged before the Justices Itinerant at York, and warranted to the said Abbot. And the said Abbot complained that albeit he recovered his seisin in the said pasture against the said William before the Justices at York, nevertheless William raised lodges and hays in the said pasture, and enclosed about eight score acres of good pasture, whereby the Abbot has so much the less access thereto.

¹ Anlasarghe, now Anglezark.

² Cf. Fine No. 7a, 8 Henry III., p. 44.

³ From the following reference to a suit which had been instituted in the King's Court, in a month after Michaelmas, 16-17 Henry III. (27th October, 1232), by the widow of Richard de Lathom, to obtain recognition of her dower, we have proof that Robert de Lathom had succeeded his brother sometime during that year. "Roey's, who was the wife of Richard de Lathom, puts in her place Geoffrey de Utton (Hutton or Hulton?) *versus* Robert de Lathom, in a plea of dower." (*C. R. Roll*, No. 111, m. 16). I venture to hazard the conjecture that Simon de Grubhead was the husband of Alice, widow of Richard de Lathom, who died in or before 1221, and that his claim upon the Lathom estates in right of his wife had been met by the assignment recorded in the Fine No. 7a. Robert de Lathom now gets rid of his claim by paying him the sum of eighty marks.

⁴ This is a Yorkshire Fine.

⁵ Langstrothdale Chase, parish of Arncliffe.

William grants for himself and his heirs, that the Abbot and his successors shall have pasture to the quantity of twenty brood mares (*matrices*), with offspring of three years, and eight stallions throughout Longestrode, except within the enclosures around William's lodges, to wit, of Crey, Huberham, Yoghannetheit, Risegile, Depedale, Bekeresmotes, and Uhtredestal,¹ but so that these horses shall not be impounded if they by chance enter the said enclosures, but shall be driven out without injury. Also it shall be lawful for the Abbot to have his stud-men in the forest, and a lodge for their use, and to make folds where they will of the said William's wood, or of stone if he will, and to make fire of the wood to brand his horses. And the said William shall cause his foresters, stud-men and cow-herds to swear that they will not maliciously terrify nor chase the said horses, by horn or shout or by other device (*machinamentum terroris*), in order to drive them quickly from the said pasture, or terrify them so that they shall less freely and fully feed in any part of the pasture. And if any forrester, stud-man or cow-herd of the said William transgress in this respect and be convicted, William and his heirs shall make reasonable amend. Further the said William grants three cows with offspring of one year in the common pasture of Bukeden, and if by chance they make their way into the forest of Longestrode, they shall not be impounded by William and his heirs, or bailiffs, but driven out without injury. Further he grants that the stud-men of the Abbot and his successors shall take sufficient estovers for fuel in the common wood of Bukedene.

For this concession the Abbot grants to William and his heirs the free enjoyment of an enclosure, which by consent of William and the Abbot, has been made upon Creybecke², saving to the Abbot and his successors pasture within the same for his horses; and free enjoyment of all the lodges which have been made on the day hereof in the said forest, and liberty to enclose, dyke, and hedge at their will, without gainsay of the Abbot and his successors. But it shall not be lawful to William and his heirs to make more lodges, or more enclosures than already exist, or to enlarge them, except by consent of the Abbot. The Abbot also consents that William and his heirs shall cut hay in the said

¹ Now called Crey, Hubberholme, Yockenthwaite, Raysgill, Deepdale, Beckermonds, and Oughtershaw. The latter is grossly corrupted from the original Ughtred-stall.

² Now called Cray gill. The enclosure is called Cray Cow Close.

forest where they will, saving that the places where they do so shall not be put in fence, whereby the Abbot shall be deprived of pasture before harvest time (*quo minus*), or after at his will.

Be it known also that the Abbot and his successors shall cause their stud-men and cow-herds to abstain from chasing or terrifying William's cattle by horn, or shout, or other device, but if they do so, upon conviction, the Abbot and his successors shall make reasonable amend as abovesaid.

No. 67.—At Westminster, on the Quindene of St. John the Baptist, 26 Henry III. [8th July, 1242].

Between Richard, Abbot of Evesham, plaintiff, and William de Wedacre and Amiria his wife, deforciant, of the moiety of the manor of Farinton.¹

William and Amiria acknowledged the moiety of the manor to be the right of the Abbot, and of his church of Evesham, and quit-claimed it to him and his successors. For this acknowledgment the Abbot gave them twelve marks of silver.

No. 68.—At Westminster, on the Quindene of St. Michael, 26 Henry III. [13th October, 1242].

Between John de la Wulfhal and Cecily his wife, plaintiffs, by the said John put in Cecily's place, and Alan le Norreis,² tenant of 11 acres of land in La Hall.³

Alan acknowledged the land to be the right of Cecily. For this acknowledgment John and Cecily granted it to Alan, to hold to him and his heirs of them and the heirs of Cecily, in perpetuity, rendering yearly 12d. at the Nativity of the B.V.M.,

¹ At Westminster, on the Octave of St. Hilary, 22 Henry III., the Abbot of Evesham, by his attorney, sued Richard de Crophull for the moiety of one mill and six acres of land in Farinton, which the Abbot claimed as his escheat. Richard did not come, and the Sheriff was directed to seize the land. (*C. R. Roll*, No. 119, m. 5). Farrington in Leyland Hundred contained one carucate of land, which Richard Bussel gave to Evesham Abbey *circa* 1159—1164.

² At Westminster, on the same day as the above Fine, Alan le Norreis gave half a mark for licence to concord with John de Wolfhal in a plea of land. They shall have a chirograph. (*C. R. Roll*, No. 124, m. 5 *dorso*).

³ It is not clear whether the land in dispute was part of the demesne of Wolfall Hall, in Huyton, or whether it lay in the township of Hale. John de Wolfall held one third part of the Manor of Hale in right of Cecily his wife, one of the daughters, and ultimately co-heir of Richard de Meath, lord of Hale. Having no issue, their estate passed to Adam Austyn "de Ireland" (ancestor of the Irelands of Hale), whose mother Eda, Edith or Edusa, was the elder daughter and co-heir of Richard de Meath. (*Hale Deeds*).

for all service. For this grant Alan gave them three marks of silver.

No. 69.—At Lancaster,¹ on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Richard Fiton, plaintiff, and Alexander, son of William, and Adam, son of Aumund, concerning the nativity of Alexander and Adam.

Richard acknowledged Alexander and Adam to be freemen, and released them from all manner of nativity and servitude². For this quit-claim they gave him 20s. sterling.

No. 70.—At Lancaster, on the Quindene of St. Martin, 26 Henry III. [25th November, 1241].

Between William de Karleton,³ plaintiff, and Alan, Abbot of Leycestre, tenant, by brother Robert Furnienciu (?) his Monk put in his place, of one oxgang of Land in **Crimbles**.

William acknowledged the land to be the right of the Abbot, and of his church of Leycestre, and quit-claimed it to him and his successors, and to his church in perpetuity. The Abbot received William and his heirs into every benefit hereafter to be made in the church of Leycestre.

No. 71.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Richard de Dutton, plaintiff, and Richard de Frekelton, tenant of three oxgangs of land with the appurtenances in **Norhicbiec** [*Norbrec*].

Richard de Frekelton acknowledged the land to be the right of Richard de Dutton, and rendered it to him, and quit-claimed it

¹ The Justices in Eyre heard pleas at Lancaster during the fortnight commencing 11th November, 1241, possibly the session may have extended a few days over the fortnight. The Assize Roll has not been preserved, but thirty Final Concords made at these Assizes are given here (Nos. 69 to 98). The Justices in Eyre were Robert de Lexington, Ralph de Sulleg, William de Culeworth, and Jollan de Nevill. The amercements of men, and townships imposed by them, and recorded in the Roll which they delivered to the Treasury, amounted to £398 os. 3d. (*Pipe Rolls*, 26—27 Henry III.)

² The emancipation of serfs was frequently effected by a final concord such as this, following upon a suit before the justices upon a writ *de libertate sua probanda*. Upon the manumission of villeins, see Pollock and Maitland, *History of English Law*, Vol. I., p. 410.

³ Cf. the Final Concord between the Abbot of Leicester and William de Carleton's father, Walter, son of Swain, 10 John, No. 49 *supra*.

from himself and his heirs to Richard de Dutton and his heirs in perpetuity. For this quit-claim Richard de Dutton gave him one mark of silver.

No. 72.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Richard, son of William de Bothelton, plaintiff, and Hugh de Shoresworth, tenant, of the fourth part of one oxgang of land in **Schoresworth**.¹

Hugh acknowledged the land to be the right of Richard. For this acknowledgment Richard granted it to Hugh, to hold of the chief lords of the fee by the service accustomed, and for 2s. to be rendered yearly to Richard at four terms, to wit, at the Nativity of our Lord 6d., at the Annunciation of the B. V. Mary 6d., at the Nativity of St. John the Baptist 6d., and at the feast of St. Michael 6d., with power to make distrain for non-payment.

No. 73.—At Lancaster, on the morrow of St. Martin, 26 Henry III. [12th November, 1241].

Between Roger of Shyotlesworth, plaintiff, and Geoffrey de Denton, concerning the nativity of Roger.

Geoffrey acknowledged Roger to be a freeman, and quit-claimed to him and his heirs all manner of nativity and servitude, for ever. For this quit-claim Roger gave him twenty marks of silver.

No. 74.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Adam de Bilinton, plaintiff, and Elias de Plesinton, tenant of two oxgangs of land in **Hunecotes**, and between the said Adam de Bilinton, plaintiff, and Adam de Plesinton, tenant, of two oxgangs of land in **Hunecotes** [*Huncoat*].

Adam de Bilinton quit-claimed to Elias and Adam and their heirs, all his right in the land. For this quit-claim they gave him 40s. sterling. Adam de Plesinton at the request of Elias granted to the Abbot of Kirkestall the said two oxgangs, to wit, those for which Adam de Bilinton sued Adam de Plesinton; to hold to the Abbot and his successors, of Adam in free and perpetual alms, rendering yearly at the feast of St. Giles 6d., and performing forinsec service, for all service. With warranty from Adam to the Abbot.

¹ In the manor of Ordsal, and township of Pendlebury.

² Cf. Whitaker's *History of Whalley*, Vol. II., pp. 200, 283. See also No. 90, *postea*.

No. 75.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18 November, 1241].

Between William, son of Henry, plaintiff, and Roger, son of Henry, tenant of four oxgangs and 24 acres of land in **Oswalduisil**¹ [*Oswalduisile*]. An assize of *mort d'ancestor* had been summoned between them.

William acknowledged the land to be the right of Roger. For this acknowledgment Roger granted to William one and a half acre and one rood of the said land, lying on the east side of Ducworthley, next to Dunserope; to hold of Roger by the service of one pair of gloves, price $\frac{1}{4}$ d., to be rendered yearly at the feast of St. Oswald, for all service. With warranty.

No. 76.—At Lancaster, on the morrow of St. Martin, 26 Henry III. [12th November, 1241].

Between Geoffrey de Wallay and Avice his wife plaintiffs, and Adam de Bilinton, tenant of 12 acres of land with the appurtenances in **Bilinton**.

Adam acknowledged the land to be the right of Avice, and rendered it to her, to hold to Geoffrey and Avice and the heirs of Avice, of Adam, and his heirs in perpetuity, rendering yearly 12d. at the feast of St. Giles for all service and exaction. With warranty. For this acknowledgment Geoffrey and Avice gave him one sor sparrow-hawk (*osperuerium sorum*).

No. 77.—At Lancaster, on the morrow of St. Martin, 26 Henry III. [12th November, 1241].

Between Paulinus de Baunton and Joan his wife, plaintiffs, and Richard de Hereford, tenant of 38 acres of land in **Tydeswell**.²

Richard acknowledged the land to be the right of Joan. For this acknowledgment Paulinus and Joan granted it to Richard, to hold for the term of his life, of them and the heirs of Joan, rendering yearly 2s., to wit, at Easter 1s., and at the feast of St. Michael 1s., for all service and exaction. After the decease of Richard, one moiety lying furthest from the sun, with the capital messuage, to revert to the said Paulinus and Joan and the heirs of Joan; the other moiety without the capital messuage to be held by the heirs of Richard, of Paulinus and Joan and the heirs of Joan in perpetuity for 2s. yearly for all service.

¹ See No. 87 *postea*.

² Cf. Nos. 74 and 90, *temp.* Henry III.

³ A Derbyshire Final Concord, relating to Tideswell.

No. 78.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Eva, daughter of Ralph, plaintiff, and Agnes, daughter of Stephen, and Adam, her son, tenants, of fourteen oxgangs of land in **Merlay** [*Great Mearley*].¹

Eva quit-claimed all her right in the land to Agnes and Adam and their heirs. For this quit-claim they gave her 8s. sterling.

No. 79.—At Lancaster, on the morrow of St. Martin, 26 Henry III. [12th November, 1241].

Between Gregory de Wimerleg, plaintiff, and Geoffrey, Prior of Lancaster, tenant, of six oxgangs of land in **Hulle** [*Hoole*].

Gregory quit-claimed all his right in the land to the Prior and his successors, and to his Church of Lancaster. For this quit-claim the Prior gave him 20s. sterling.²

No. 80.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between William, son of Roes, plaintiff, and Richard, son of William, tenant, of one oxgang of land in **Newton**.

William quit-claimed all his right in the land to Richard and his heirs. For this quit-claim Richard gave him two marks of silver.

No. 81.—At Lancaster, on the Quindene of St. Martin, 26 Henry III. [25th November, 1241].

Between Robert de Huland, plaintiff, and Adam de Pemberton, tenant, of twelve oxgangs of land in **Pemberton**.

Robert quit-claimed all his right to Adam, who gave Robert the homage and service of Thomas de Siuerdelege and his heirs, from the whole tenement which Thomas holds of the said Adam in Siuerdelege, to wit, 5s. 6d. yearly. Robert and his heirs to hold the same of Adam and his heirs in perpetuity, paying 3d. yearly, or one pair of steel spurs at the Nativity of our Lord

¹ Ralph le Rous had a grant of Great Mearley and other estates from Robert de Lacy in the year 1102. Jordan, son or grandson of Ralph, had a confirmation of Great Mearley, etc., from Ilbert de Lacy, *circa* 1135—1142, and enfeoffed Stephen de Mearley of that manor, perhaps in *frank marriage* with his daughter. Stephen's ultimate heir was his daughter Agnes, who married Adam Nowell, and had issue Adam, named in this concord, and Roger, who succeeded, and was the ancestor of the Nowells of Read. (Whitaker's *History of Whalley*, ii., pp. 108-110).

² See the *Register of Lancaster Priory*, p. 32. Also cf. No. 37, *temp.* John.

for all service. With warranty. The said Thomas was present when this concord was made, and acknowledged that the said service would be due yearly by him to Robert.

No. 82.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Elyas, son of Syrith, and Augnes, daughter of Henry, plaintiffs, and Adam de Hocton,¹ tenant, of two-thirds of

¹ Hoghton was given with other considerable estates in Leyland Hundred to Richard Fitton by Richard Bussel, Baron of Penwortham between 1153 and 1164 (*Add. MSS.* 32, 106, f. 68b). Between 1189 and 1212, Adam, son of Richard, son of Hamon le Boteler became possessed of some portion of Hoghton, whereupon he and his successors assumed the surname of Hocton, or Hoghton, and continued to hold this estate, not of the Barons of Penwortham, but of the Fittons of Bollin, until Sir Edmund Fitton, *temp.* Edward I. gave the homage and service of Adam de Hoghton, grandson (!) of the above Adam, of the tenements which he held of the said Edmund in the villa of Walton, Allerton and Hoghton, to Sir Henry de Lea. (*Dodsworth MS.*, cxlii, f. 12b). By the marriage of Sibill, sister and heiress of Sir Henry de Lea, grandson of the above Sir Henry, to Sir Richard de Hoghton, the Hoghtons became in the year 1315 chief lords of Hoghton and many other manors, immediately under Thos., Earl of Lancaster and his successors.

The earlier generations of the Hoghton pedigree in the *History of Lancashire*, edit. 1888-93, vol. iv., p. 182, have been drawn up with an entire disregard alike of human possibilities in the generation of offspring, and of the evidence of unimpeachable documents. The pedigree commences with the old blunder of confusing the name of Busli with that of Bussel, making Warin Bussel II., who was Baron of Penwortham in the time of King Stephen, son and heir of Roger Busli, the Domesday tenant in chief, the history of whose heir is perfectly well known (*Staff. Collections* ii., p. 223). In the next place, Hamon le Boteler (*Pincerna*), who married a daughter of Warin Bussel II., *temp.* Stephen, is stated to have had a grandson, who, on the strength of an entry in the *Pipe Roll* of 31 Henry I. (1129-1130), is said to have married the widow of Geoffrey de Favare, *i.e.*, six or seven years before the commencement of Stephen's reign ! Further, in order to connect the family at an early date with the manor of Hoghton, an entry in the *Testa de Nevill*, which describes the estate given by Warin Bussel in marriage with his daughter to Hamon le Boteler, has been deliberately corrupted, so that two caracutes "in Heton and Echelstone" is made to read "in Hocton and Echelston." As a matter of fact this Heton was Heaton in Lonsdale, as may be seen by reference to three early charters relating to these estates, printed in the collection of twelfth century charters at the end of the *Lancashire Pipe Roll*.

The actual facts were as follows : Warin Bussel gave to Hamon le Boteler in marriage with one of his daughters, two carucates of land in Heaton in Lonsdale, and in Little Eccleston in Amounderness (*Testa* ii., f. 816). Hamon had a son, Richard, who, had a son, Adam, who by the style of "Adam filius Ricardi, filii Hamonis Pincernæ," granted his estate in Heaton—one moiety of the vill—to Augustine, son of Ughtred of Ulverston, which Augustine was father of Roger

four oxgangs of land in **Hocton** [*Hoghton*], which Elyas and Agnes claimed to be the reasonable share which belonged to them, of the inheritance of Steymill de Hocton, their grandfather, whose heirs they were.

Elyas and Agnes quit-claimed all their right in the land to Adam. For this quit-claim he gave them two marks and a half of silver.

No. 83.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th. November, 1241].

Between Alice, daughter of Alan, plaintiff, and Adam de Eccliston, tenant, of one oxgang and a half of land in **Eccliston**. An assize of *mort d'ancestor* had been summoned between them.

Alice acknowledged the land to be the right of Adam, for which acknowledgment he granted it to Alice and her heirs, to hold of him and his heirs in perpetuity, performing in all things the service belonging to that land. With warranty.

No. 84.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Alice, daughter of Robert the Harper, plaintiff, and Simon de Bireches, tenant of sixteen acres of land in **Burscough** [*Burscough*].

Simon acknowledged the land to be the right of Alice, and quit-claimed it to her and her heirs. For this acknowledgment she gave him one mark of silver.

No. 85.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Emma, daughter of Quenilda, plaintiff, and Elen her sister, deforciant, of the moiety of two oxgangs of land in **Kirkedal**,¹ which Emma claimed to be the reasonable share which

de Heaton of Brune (now Bourn Hall, parish Poulton-in-the-Fylde), to hold of Adam by the ninth part of one Knight's fee (*Dodsworth MS.*, lxxxviii., f. 7). Accordingly, in the Survey of 1212, under the Barony of Penwortham we find that "Adam de Hocton holds the same Heton, to wit one carucate," i.e., that moiety of Heaton, of which his grandfather had been enfeoffed in the reign of King Stephen. The Adam de Hocton of this concord was probably the son of Adam, son of Richard, son of Hamon le Boteler.

¹ Warin Bussel gave to Norman three carucates of land in Kirkedale, to hold by the service of three-tenths of one Knight's fee. In the year 1212, Quenilda, daughter of Roger held that land by the same service (*Testa* ii., f. 816). Roger de Kirkdale, father of Quenilda died before 2 John, when Godith, his widow, obtained recognition of her dower in Kirkdale. Quenilda married Richard, son

belonged to her, of the inheritance of Quenilda de Kirkedal, mother of the said Emma and Elen, whose heirs they were.

Emma quit-claimed to Elen and her heirs all her right in the land. For this quit-claim Elen gave Emma one mark of silver.

No. 86.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Avice de Middleton, plaintiff, and Adam, son of Adam, tenant, of seven oxgangs of land in **Middeldon**.¹ An assize of *mort d'ancestor* had been summoned between them.

Avice quit-claimed to Adam and his heirs all her right in the land. For this quit-claim Adam gave her 40s. sterling.

No. 87.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between William, son of Henry, plaintiff, and Robert, son of Adam de Radeclif, tenant, of two oxgangs, half an oxgang, and the third part of half an oxgang of land in **Ducworth**,² and between the said William, son of Henry, plaintiff, and Robert, son of Adam de Radclif, tenant, of two oxgangs and half an oxgang of land in **Oswaltdwisil**. An assize of *mort d'ancestor* had been summoned between them.

William acknowledged the said lands to be the right of Robert

of Roger (not of Wood-Plumpton), by whom she had three daughters, Emma and Ellen, named in the above concord, and another, the eldest, whom William, son of Norman gave in marriage to Jordan de Thornhill. This family also held several estates by serjeanty (*Testa* ii., f. 815). William, son of William de Walton held Kirkdale in 1242 of the fee of the Earl of Lincoln in Penwortham, by the third part ($\frac{1}{3}$) of a Knight's fee (*Ibid*, f. 787).

¹ Adam de Middleton held in 1212 one-third part of the manor of Middleton, near Lancaster, of the King in chief, as of the Honour of Lancaster, by the service of one-fourteenth part of a Knight's fee. His ancestors held this fee of ancient feoffment. He died 1235, and was succeeded by his son Adam, who had livery of one carucate of land in Middleton, 10th March, 1235 (*Fine Roll*, 19 Henry III., m. 11). At the date of this Concord he held seven oxgangs, his father having alienated the other oxgang to Adam, son of Orm de Kellet, before 1212 (*Testa*). Adam II. died in 1259, and on the 5th May, the same year, the wardship of his heir was given to William de Burgh, afterwards of Middleton, in whose family this estate afterwards descended.

² Duckworth is an estate in Oswaltdwisle. Henry de Oswaltdwisle appears to have had two sons, William (No. 75 *supra*), and Roger who was enfeoffed of land in Oswaltdwisle by his father (?), to whom Simon de Radcliffe had given that land (*Assize Roll*, No. 404, m. 11, *dorso*).

and his heirs. For this acknowledgment Robert granted to William one and a half acres and one rood of land lying on the eastern side of Ducworthley next to Dunshope, to hold to him and his heirs of Richard and his heirs in perpetuity, rendering one barbed arrow yearly at the feast of St. Oswald for all service. With warranty.

No. 88.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Bernard, son of Beatrice, plaintiff, and Bernard, son of Richard, tenant, of one oxgang of land in **Gosnar** [*Goosnargh*]. A jury of grand assize had been summoned between them.

Bernard, son of Richard, acknowledged the lands to be the right of Bernard, son of Beatrice,¹ and his heirs. For this acknowledgment the latter granted to Bernard, son of Richard, six acres of land in Gosnar, lying on the north side of Foxholhirst, to hold to him and his heirs, of Bernard, son of Beatrice and his heirs in perpetuity, rendering 12d. yearly at the Assumption of the B.V.M., and performing forinsec service belonging to that land for all service. With warranty. The land not to be given, mortgaged, or alienated except to Bernard, son of Beatrice or his heirs, provided that he or they should be willing to give as much as others would give for the land.

No. 89.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between William, son of Orm, plaintiff, and William, son of William, tenant, of two oxgangs of land in **Clauton** [*Claughton in Lonsdale*]. An assize of *mort d'ancestor* had been summoned between them.

William, son of Orm, quit-claimed all his right in the land to William, son of William and his heirs. For this quit-claim William, son of William, gave him six marks of silver.

No. 90.—At Lancaster, on the morrow of St. Martin, 26 Henry III. [12th November, 1241].

¹ Bernard de Mitton, son of Beatrice, daughter and co-heiress of Robert, son of Bernard of Goosnargh, and third wife of Hugh de Mitton. Bernard held five oxgangs in Goosnargh by the feoffment of his mother (*Assize Roll*, No. 404, m. 2).

Between Geoffrey de Walleve and Avice his wife, plaintiffs, and Roger de Witton, tenant, of three oxgangs of land in Hunnecotes.¹

Geoffrey and Avice quit-claimed their right in the land to Roger and his heirs, for which Roger granted to Geoffrey and Avice forty acres of land in Bilinton, to hold to them and the heirs of Avice of the chief lord of the fee by the service belonging to that land. Afterwards Roger, at the request of Geoffrey and Avice, granted the said three oxgangs of land to the Abbot of Kirkstall, to hold to him and his successors and to the church of Kirkstall in frankalmoign, of the said Roger and his heirs, rendering yearly four barbed arrows at the feast of St. Giles, and performing forinsec service belonging to that land for all service. With warranty to the Abbot.

No. 91.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Richard, son of William, plaintiff, and Richard, son of Robert, tenant of the fourth part of one oxgang of land in Shoreswrth.² A jury of grand assize had been summoned between them.

¹ In Hilary Term, 1243, at Westminster, Geoffrey de Wallegh and Avice, his wife, were attached to answer Roger de Wynton (*sic*) in a plea to observe the agreement made at Lancaster, before the Justices in Eyre, between the said Geoffrey and Avice, plaintiffs, and the said Roger, tenant of three oxgangs of land in Hunnicot, whereof they have a chirograph, and respecting which Roger complained that after he had granted to Geoffrey and Avice forty acres of land in Bilinton for the release of the three oxgangs, they by virtue of that grant occupied other forty acres and 4s. 6d. rent of his land in that vill, whereby he has sustained loss to the amount of twenty marks. Geoffrey and Avice denied this, but acknowledged the agreement, and said that they had only occupied forty acres of land, of which the Sheriff put them in seisin in Roger's presence, the land having been measured *by the rod of twenty feet*, according to the custom of the country, nor did they claim any more land than the forty acres accorded by the said concord. The Sheriff was ordered to take with him twelve Knights and to proceed in person to Belington, and there by view and in accordance with the writ to measure forty acres of Roger's land, by the perch of twenty feet, to Geoffrey and Avice, and if they have occupied more than forty acres, to give Roger his remedy (*Curia Regis Roll*, No. 126, m. 10). Cf., Nos. 74 and 90. See also Whitaker's *History of Whalley*, vol. ii. p. 283.

² Shoreswrth was an estate of one oxgang in the township of Pendlebury. Robert de Pendlebury had a grant, or confirmation, of one carucate in Pendlebury from John, Count of Mortain (1189-1194). Elias, his son and heir, held this carucate in 1212 for the yearly service of 10s., and also one

Richard, son of Robert, acknowledged the land to be the right of Richard, son of William, for which acknowledgment the latter granted the said land to Richard, son of Robert, to hold to him and his heirs, of the chief lords of the fee in perpetuity, for the service belonging to that land, and rendering 12d. yearly at the Assumption of the Blessed Virgin Mary to Richard, son of William, and his heirs, for all service. With power reserved to make distraint in case of default of payment.

No. 92.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Ralph, son of Jordan,¹ and Cecily his wife, plaintiffs, and Richard, son of Gamel, and William his brother, concerning the nativity of Richard and William.

Ralph and Cecily acknowledged that Richard and William were free men, and for themselves and their heirs released Richard and William and their heirs from all nativity and servitude for ever. For this acknowledgment Richard and William gave them 20s. sterling.

No. 93.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Richard, son of Christiana de Alreton, plaintiff, and Gilbert de Barton,² tenant of one knight's fee and half a knight's fee in Barton, except four oxgangs of land in **Hetun**.

oxgang of land in Shoresworth for the service of 2s. He died in 1219, and on the 27th October, the same year, Adam, his son and heir, had livery of one carucate in Pendlebury, and a quarter oxgang in Shoresworth. (*Fine Roll*, 2 Henry III., m. 9). In the year 1212, Shoresworth was held by the four nephews of Elias de Pendlebury, viz., Richard, Adam, Henry and Robert. The Richard, son of Robert, of the above concord, was very likely the son of the last-named of these four brothers. Possibly the eldest of the four required this acknowledgment from Richard upon his succession to his father's share.

¹ Probably Ralph, son of Jordan de Bayley. See *History of Whalley*, vol. ii, p. 471.

² Some account of Edith de Barton, who possessed Barton *cum membris* in her own right, has been given in a note to the concord No. 41 (*antea*, p. 26). The printed pedigrees of "de Notton" or Barton contain a serious mistake in giving Edith de Barton three sons by her husband, Gilbert de Notton. The correct descent is as follows: Edith de Barton had issue by a *first* husband, whose name has not been preserved, a son, John de Barton, and one daughter. Her *second* husband—by whom she had no issue—was Gilbert de Notton, probably a Lincolnshire man. By a former wife, however, Gilbert had three sons, William, Roger, and John called "de Bromyhurst." The eldest son, William de Notton married the daughter and heiress of Edith de

Richard quit-claimed all right in the said knight's fees, except

Barton, by her first husband, and had issue Gilbert and Matthew, possibly also another son. The last-named Gilbert, was found to be heir to his grandmother Edith, and had livery of thirty-two oxgangs of land in Barton *cum membris*, and Worsley, by writ dated 26th January, 1222 (*Fine Roll*, 6 Henry III. m. 7). In the original entry he is styled "Gilbertus nepos et hæres Edithæ de Barton." That *nepos* here means grandson is proved by the following entry in the *Close Roll*,—"The King to the Sheriff of Lancaster, greeting. Our beloved and faithful Robert Grease has shewn unto us, that whereas Edith, formerly wife of Gilebert de Noctun held of him the fee of one Knight and a half in Barton, whereof the ancestors of Robert always used and ought to have wardship with the heirs being under age after the death of their ancestors, and whereas he who is now heir, being under age, to wit son of the daughter of the said Edith, ought to be in ward to him with his inheritance, and for that reason he (Robert) had seised that inheritance into his hands, as that which ought to be held of him in chief by military service, now you without authority of our precept have disseised Robert of the said fee of one Knight and a half, causing him loss to the amount of forty marks of the chattels which you have there seised." The Sheriff was accordingly ordered to immediately put him in seisin and to restore his chattels. If he did not do so, he was to come to Westminster on the morrow of St. Martin to show cause why he did not execute this precept. This writ bears date at Westminster, 16th October, 1220 (*Close Roll*, 4 Henry III., m. 1, in *dorso*). Additional proof of this corrected descent is found in a charter, by which Edith de Barton, with the approval of her husband Sir Gilbert de Notton, and for the health of their souls, and of the soul of her son, John de Barton, and of her daughter, to wit the wife of William de Notton, gave to the monks of the blessed place of Stanlaw in frankalmoin, the land of Cade-walisset [*Cadishhead*, in the township of Barton]. The date lies before 5th July, 1213, when Henry de Lougchamps was dead. Jordan, Dean of Manchester, under the style of "Jordanus de sancta Maria" was also a witness (*Whalley Coucher*, p. 521). Sir Gilbert de Notton assumed the name of Barton upon inheriting his grandmother's estates. His first wife is said to have been Margery, daughter of Hugh de Eland, of Eland, county York. If so, the Henry, son of Margery, who put in his claim according to the endorsement on this concord, was probably her son. His second wife was Cecilia, possibly daughter of Jorwerth de Hulton, to whom Paulinus de West-Houghton gave the third part of that vill in fee, an estate afterwards found in the possession of Gilbert's son, John de Barton (*Whalley Coucher*, pp. 59, 831).

It is not easy to interpret the meaning of this concord. I can only suggest that Christiana was in some way connected by blood with Edith de Barton. She married . . . de Allerton, and had a son, Richard, who in 1246, together with John de Blackburn and Henry de Whalley, obtained licence to concord with Thomas Grelley, and make acknowledgment that they had no right of chase in Thomas' forest [of Horwich] (*Assize Roll*, No. 404, m. 8). The early references to Allerton, near Liverpool, are somewhat scarce, and do not assist in the identification of this family. (See No. 59, *temp. John*, and No. 98 *postea*, also *Manccestre*, p. 353).

as above, to Gilbert and his heirs in perpetuity. For this quit-claim Gilbert gave him fifteen marks of silver.

[Endorsed]. Henry, son of Margery, put in his claim.

No. 94.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Margaret and Godith, daughters of Richard, son of Uviet, plaintiffs, and Alexander, son of Roger, tenant, of the third part of the Manor of **Wythalg**.¹

Margaret and Godith quit-claimed all their right in the third part of the said manor to Alexander and his heirs. For this quit-claim he gave them four marks of silver.

No. 95.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between John de Harewode, plaintiff, and William de Samlesbyry, concerning this, that William should acquit John of the service which Thomas Grelley claimed from John, of the free tenement which John holds of William in Harewode,² and of which the said William as mesne tenant between them ought to acquit him, as he says. Whereupon John complained that whereas he holds of William half a carucate of land in Harewode by performing forinsec service for all service, William did not acquit him of the suit which the said Thomas claimed from him at his Court of Mamcestre.

William acknowledged the half carucate of land to be the right of John, to hold to him and his heirs of the chief lords of the fee by performing forinsec, and all other services belonging to the said land. William granted this for himself and his heirs, and acquitted John and his heirs of the said suit of court for ever. For this grant John remitted all claim on account of losses and expenses incurred by reason of the said suit of court.

No. 96.—At Lancaster, on the Quindene of St. Martin, 26 Henry III. [25th November, 1241].

¹ Perhaps Whittle-le-Woods.

² Harwood, a township in the parish of Bolton-le-Moors. Cf., No. 13, 11 Henry III., *supra*. Roger de Samlesbury and Alexander de Harwood held one carucate here of Robert Grelley in 1212. (*Testa*, ii, f. 822). They owed suit to the three weeks' Court at Manchester, as Judges for the moieties of Harwood respectively (*Mamcestre*, p. 333). Since 1212, William de Samlesbury had succeeded Roger, his father; and in like manner John de Harwood had succeeded Alexander.

Between Walter de Tatham, plaintiff, and Stephen de Oxenethweyt, Thomas, son of Alan and Lawrence his brother, tenants, of twelve acres of land in Tatham.

Stephen, Thomas and Lawrence acknowledged the land to be the right of Walter, and quit-claimed it to him and his heirs. For this acknowledgment Walter gave them half a mark of silver.

No. 97.—At Lancaster, on the Quindene of St. Martin, 26 Henry III. [25th November, 1241].

Between Richard Rigmayden and Agnes his wife, and Alice, sister of Agnes, and Godith, daughter of Gilbert Whithaud, plaintiffs, and Walter de Tatham, tenant, of two carucates of land in Tatham and Ireby.

Richard, Agnes, Alice and Godith quit-claimed all their right in the land to Walter. For this quit-claim he gave them eight marks of silver.

No. 98.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Robert, son of Richard de Alreton, plaintiff, and Thomas Grelley, whom Geoffrey de Chetham and Margaret his wife called to warrant, and who warranted to them, twelve oxgangs of land in Alreton.¹ An assize of *mort d'ancestor* had been summoned between them.

Robert quit-claimed all his right in the land to Thomas. For this quit-claim Thomas gave him 40s. sterling.

No. 99.—At Westminster, in one month from Easter, 29 Henry III. [14th May, 1245].

¹ The interpretation of this concord appears to be, that a jury had made a recognition before the Justices of Assize, as to whether Richard de Allerton, father of Robert, had been seised in his demesne of twelve oxgangs of land in Allerton, which Geoffrey de Chetham and Margaret, his wife, hold. They had called Thomas Grelley to warrant their title, which he did, and the parties had thereupon made concord. Probably Robert de Allerton held the other moiety of the vill. There would seem to have been some complicated feoffments of this estate, which appears to have been included, in 1212, in Richard de Lathom's fee of Childwall *cum membris*; but, if so, the service or probably the suit to County and Wapentake Courts for Allerton had been withdrawn some time previous to 1209. In that year, Robert Grelley instituted a suit against Richard de Lathom to enforce the performance of suit of court, but concord was made by Richard releasing his tenement in Allerton to Grelley. (*Final Concord*, No. 59, *temp. John, supra*). In later years, Allerton was included in the half knight's fee in Childwall, which the lords of Manchester held there in demesne. Cf., No. 93, *supra*.

Between Gilbert, son of Thomas de Hilketelashal, plaintiff, and Symon, son of Thomas, deforciant, of one carucate of land in **Keggewrth**,¹ concerning which a plea of covenant had been summoned between them.

Simon acknowledged the land to be the right of Gilbert. For this acknowledgment Gilbert granted the land to Simon, to hold to him and his heirs lawfully begotten upon his wife, of the said Gilbert and his heirs, rendering yearly one pair of gilt spurs or 6d. at Easter, and performing at a scutage of 20s. [on the knight's fee], when any should happen, one penny, and so proportionately more or less, and to the chief lords of the fee all other services belonging to that land. With warranty to Simon and his heir lawfully begotten, provided always that it should not be lawful for Simon or his heir to grant, sell, mortgage, or otherwise to alienate that land. After the decease of Simon, if he should happen to die without heir, the land to revert to Gilbert and his heirs. Afterwards Gilbert remitted to Simon forty marks of silver, which Simon owed him.

No. 100.—At Westminster, on the Quindene of Easter, 29 Henry III. [30th April, 1245].

Between Alice, formerly the wife of Alan de Singelton, plaintiff, and William, son of Alan,² tenant, of two carucates of land in **Thorenton**.

Alice acknowledged the land to be the right of William. For this acknowledgment William granted it to her together with the third part of his fishery in Singelton, to hold during her life of William and his heirs, performing all the services belonging to that land, provided always that it should not be lawful for her to grant, sell, mortgage, or otherwise to alienate that land or fishery. After the death of Alice, the whole to revert to William and his heirs. Afterwards William granted for himself and his heirs to Alice, that if she should not be able to grind in her mill of Thorenton, that she might grind her own corn and barley in

¹ This is a Leicestershire Final Concord, relating to Keggworth. It has been filed in the Lancashire series by mistake.

² William de Singleton, son and heir of Alan de Singleton, had livery of his father's estate, by writ dated 18th December 1244. (*Fine Roll*, 29 Henry III., m. 15). By this concord he agreed to assign to Alice, the widow (apparently his step-mother), two carucates in Thornton in Amounderness, and the third part of his fishery in the river Wyre, as her dower. At Lancaster Assizes, Michaelmas, 1246, she gave half a mark for licence to make further concord respecting this agreement. (*Assize Roll*, No. 404, m. 5).

William's mill in Singelton, free from multure. And Alice quit-claimed to William and his heirs all her right in the tenements which formerly belonged to Alan, her husband, in the name of her dower; and afterwards William gave her £10 sterling.

No. 101.—At Lancaster,¹ in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Thomas Grehle, plaintiff, and Gilbert de Barton, deforciant of the customs and services which Thomas claimed from Gilbert of the free tenement which he held of Thomas in Barton;² respecting which Thomas claimed from Gilbert that he

¹ This session of the Lancaster Assizes commenced on the 20th October 1246, and lasted ten to fourteen days. The Justices in Eyre were Roger de Thirkleby, Gilbert de Preston, Master Simon de Wauton and John de Cobham. The Roll of the Justices is in the Public Record Office, No. 404, and consists of twenty-seven membranes. All notices of the suits which were there concorded, and of which chirographs were made, are given in the footnotes to the respective concords.

² Gilbert de Barton gave 20s. for license to concord with Thomas Gresley in a plea respecting customs and services, by the surety of Matthew de Redeman [who had been appointed Sheriff of the County at Michaelmas, 1246]. (*Assize Roll*, No. 404, m. 8.) The estates, which Gilbert inherited from his grandmother, Edith de Barton, were (1) the Manor of Barton *cum membris*, held of the Grelleys by the services of one and a half knight's fees; (2) Worsley *cum membris*, held of the King in 1212, afterwards of William Ferrers, Earl of Derby, in thanage by 26s., the area was thirty-two oxgangs; (3) Cadishead, held of the King, etc., in fee farm for 4s.; (4) eight oxgangs in Kaskinmoor, held of Montbegon and Nevill in 1212, which had been converted into the fourth part of a knight's fee, under the Earl of Lincoln in 1242, the estate being in Chadderton; (5) four oxgangs in Heaton under Horwich, held of de Radcliffe in 1212 for 6s.; (6) two oxgangs in Failsworth, held of de Prestwich in 1212 for 4s.; and (7) one carucate in Brightmet, held in 1212 by William de Notton, father of Gilbert de Barton, of the heir of Ranulf de Marsey for 8s. (*Testa de Nevill, passim.*) From the particulars given in the above concord, it appears that Gilbert was to do military service belonging to one knight's fee, the service of the other half fee being performed by his under tenants in Barton. Apparently there were six carucates, three oxgangs of land in the manor *cum membris*, i.e., seventeen oxgangs to each half fee. Gilbert's demesne in Barton, Dimplington and Davyhulme extended to thirteen oxgangs, for which he undertook to perform forinsec service. This would leave thirty-eight oxgangs in the hands of free tenants, viz., in the other hamlets of Barton and in Withington. Judging by these particulars, the oxgang in many vills and hamlets of Salford Hundred must have been abnormally large. It is, however, necessary to look upon the carucate and oxgang as the basis of the fiscal or rateable valuation of the vill, rather than the measure of the arable land or agricultural outfit at any given period. See note to No. 139 *postea*.

should perform for the said tenement the service of one knight, and forinsec service belonging to thirteen oxgangs of land, where seventeen oxgangs make half a knight's fee, and that he should do suit of court to him at Thomas' Court of Mamecestre from three weeks to three weeks, and render to him Sakfe and Ward [of Lancaster Castle], to wit, 14s. 8d. yearly ; which customs and service Gilbert did not before acknowledge.

Gilbert acknowledged that henceforth he would perform the service of one knight, and forinsec service as above, and would render to him yearly 14s. 8d. for Ward of Lancaster Castle at the Nativity of St. John the Baptist; and would do Sakfe to him, and in like manner suit of the said Thomas' Court of Mamecestre from three weeks to three weeks, provided also that if there should be any plea there by the king's writ, that he would do suit from fortnight to fortnight, so long as that plea should be there, according to the custom of the said Court of Mamecestre, for all service and demand. Afterwards Gilbert granted for himself and his heirs that he would not in the future grant, sell, mortgage or alienate the said tenement, or any part thereof without the licence and approval of the said Thomas or his heirs, for which Thomas remitted all arrears of the said services, and all losses which he said he had sustained thereby, until the day upon which this concord was made.

No. 102.—At Westminster, on the Octave of Holy Trinity, 30 Henry III. [10th June, 1246].

Between Margery, Countess of Kent, plaintiff, by James de Walingham put in her place, and Geoffrey, Abbot of Croxton, deforciant, by brother Roger de Sexteneby, his canon, put in his place, respecting the advowson of the church of **Melling**, concerning which an assize of last presentation had been summoned between them.¹

¹ At York Assizes, in Easter Term, 1246, Margaret, Countess of Kent claimed the right of presentation to the Church of Melling against the Prior of Lancaster and the Prior of Horneby. She stated that the right of presentation belonged to her, because Roger de Montbegon, formerly lord of Horneby, last presented Richard de Vescy to that church, and that he was duly admitted to the presentation and died the last Parson of that church. She also stated that she held the manor of Horneby, to which the advowson of that church belonged, by the grant of Henry de Munegheden, heir to Roger de Montbegon, who enfeoffed her, together with her late husband, Hubert de Burgh, Earl of Kent, by charter which she proffered, and which bears witness to this.

The Countess acknowledged the advowson of the said Church

The Priors appeared. And the Prior of Horneby pleaded that an assize ought not to be taken, and stated that Roger de Montbegon verily last presented Richard de Vesey, but that after having presented him to that church, he granted to God and the Church of St. Wilfrid of Horneby all his land in Botine, with the advowson of the Church of Melling, to hold in frankalmoign; and he produced the charter of feoffment of the said Roger, which bore witness to this. He further stated that he was in seisin of the land, and that the church was vacant for the first time since he was enfeoffed of the land and advowson.

The Countess appeared by her attorney and pleaded that the said charter ought not to be prejudicial to her, because Hubert de Burgh, formerly her husband, and she the said Margaret, after the making of the charter, sued Henry de Munegeden for the Manors of Horneby and Melling and the advowson of the Church of Melling by a writ of warranty of charter before the Justices at Westminster, and a fine was thereupon levied in the said Court, whereby Henry acknowledged the said lands and appurtenances to be the right of Hubert and Margaret as those which they held by the grant of the said Henry, to hold during the term of life of either of them, and she produced the chirograph thereupon made between them, which bore witness to this (Cf. No. 32, 14 Henry III., *supra*). And because the Prior was in England when the fine was levied, and set up no claim against that chirograph she pleaded for judgment.

The Abbot of Croxton afterwards appeared and stated that the Priory of Horneby was a cell of his abbey, and that he could remove the Prior of that place at his will, which the Prior acknowledged. The Prior of Horneby pleaded that the fine ought not to be prejudicial to him because it was by writ of warranty of charter between the Earl and Countess and the said Henry, whereas Henry was never in seisin of the advowson of the Church, because Roger de Montbegon, who granted the advowson to the said Prior and to his house, last presented Richard de Vesey, who died the last Parson of that church.

The Countess, by her attorney, fully acknowledged that Henry de Munegheden was never in seisin of the advowson, and that Roger de Montbegon last presented Richard to that church, and afterwards granted the charter to the Prior, but she pleaded nothing further against that charter except that it was rendered void by the fine, because the Prior did not oppose his claim against it.

The King notified the Justices at York to give the parties a day at Westminster *de die in diem* in the Octave of Holy Trinity to hear judgment without essoins or delay. (*Assize Roll*, No. 1045, m. 2). Upon which day concord was made as above.

About this time, Robert, Prior of Hornby, came to an untimely end, for it was presented by the Lonsdale Jury at the Assizes at Lancaster, in Michaelmas Term, 1246, that the Prior had been killed by his own horse, which carried him against a certain cross, against which he struck with such violence that he died. Hugh, the Porter of Hornby, was present at the time of the accident. (*Assize Roll*, No. 404, m. 23, *in dorso*).

to be the right of the Abbot, and of his Church of Croxton, and quit-claimed it to him and his successors. And the Abbot granted that the Countess should present her clerk this time to the said Church of Melling, in such wise that after his death, the Abbot and his successors should for ever after present his and their clerks. This concord was made in the presence of John de Burgh, who acknowledged it, and quit-claimed all his right in the said advowson.

No. 103.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Adam, son of William, plaintiff, and Richard Banastre, tenant, of two acres of land in **Bretherton**.

Adam acknowledged the land to be the right of Richard. For this acknowledgment Richard gave him one acre of the said land lying against land of the said Richard on the north, to hold to him and his heirs of the chief lords of the fee in perpetuity, performing the service belonging thereto. Further Richard granted to Adam and his heirs that they should be free and quit of all manner of nativity and secular servitude for ever.

No. 104.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Eva, formerly the wife of Geoffrey Arbalaster (*Balystarius*), plaintiff, and John Arbalaster, tenant, of the third part of the Manors of **Hakonesho** [*Hackensall*], **Preshou** [*Preesall*], and **Hamelton**, which third part Eva claimed to be the reasonable dower, which belonged to her of the free tenement which formerly belonged to Geoffrey her husband, in the said Manors.

John granted to Eva the one-third part of the said Manors, and fourteen solidates of rent in Hamelton, to be received yearly from Simon de Hamelton and Robert de Shyreburn and their heirs, from the tenements which they hold of John in the said manor upon the day of the making hereof, to wit, 8s. yearly from Simon's tenement, and 6s. yearly from Robert's tenement, saving to John and his heirs homages, wardships, reliefs, escheats, and all other services to arise from the said tenements, to hold all her life in the name of dower, quit of all forinsec service. Moreover, John granted to Eva that she should have during her life one-third part of all tallages which he might hereafter take in the said Manor of Hamelton. After her decease the whole to revert to

John and his heirs. For this concord Eva quit-claimed all her right in the residue of the said Geoffrey's lands and tenements. Simon and Robert were present at the making of this concord, and acknowledged that they owed the said rents.

No. 105.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Roger de Heton, plaintiff, and William de Lancastre, deforciant of a certain water corn mill in Thorfergh [*Torver*], respecting which Roger complained that William threw down the said mill to the injury of his free tenants in that vill.¹

Roger and his heirs shall have liberty to erect and maintain the said mill without gainsay of William or his heirs. Afterwards William quit-claimed to Roger and his heirs all right of exacting from them or from their men in that vill any suit of his mill in Ulreston [*Ulverston*]. For this release Roger gave him two marks of silver.

No. 106.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Hugh Gogard, plaintiff, and Richard de Dutton, tenant, of two oxgangs of land in Dutton; and between Richard, son of Vivian, plaintiff, and the said Richard de Dutton, tenant of one oxgang of land in the same vill.

Hugh and Richard, son of Vivian, acknowledged the land to be the right of Richard de Dutton, and quit-claimed it to him.

¹ At Lancaster Assizes, 1246, William de Lancaster was summoned to answer Roger de Heaton wherefore he claimed customs and services which were not due, from the free tenement which Roger held of him in Toruergh, and distrained upon Roger to do suit to his mill of Ulverston, which he did not owe, because William de Lancaster II., grandfather of William, enfeofed Augustine, [grand]father of Roger, of half a carucate of land in Thornergh, to hold by the service of the forty-eighth part of one knight's fee for all service, saving only to the grantor and his heirs, buck and doe, wild boar and sow, goat and goshawk. He proffered the charter in testimony of this, and the confirmation of Gilbert fitz Reinfred. William de Lancaster, by his attorney, pleaded that he justly distrained upon Roger to do suit at the said mill, because William, his grandfather, was seised of Augustine's suit, and Hawise, daughter of the said William, whose heir he is, was likewise seised thereof. Roger denied this, and put himself upon the grand assize. William de Furness, Hugh Phytun (Fitton), Richard de Halfston, and Robert de Latham, four knights, are summoned to elect a jury. Afterwards the parties concorded, and Roger gave one mark for license to concord by the surety of Alexander, the Clerk. (*Assize Roll*, No. 404, m. 11).

For this release he gave two marks of silver to Hugh, and one mark of silver to Richard.

No. 107.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Robert de Lathum, plaintiff, and Richard de Whittlelawe, Roger his brother, and Agnes, daughter of William de Burle, whom Robert claimed to be his fugitive villeins.¹

Robert granted to Richard, Robert and Agnes, and their heirs, that they should be free and quit of all manner of nativity and secular servitude for ever. For this quit-claim they gave Robert two marks of silver.

No. 108.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between John de Adburgham, plaintiff, and Peter de Burnhil,² tenant, of 200 acres of land in **Adburgham** [*Abram*].

John quit-claimed all his right in the land to Peter and his heirs, as also in all other lands and tenements which Peter held in the said vill, and in **Aystone** [*Ashton in Makerfield*], on the day of the making of this concord. For this quit-claim Peter gave John six marks of silver.

¹ At Lancaster Assizes, Richard de Whiteleg and Roger, his brother, gave two marks for licence to concord with Robert de Lathum, respecting a plea of nativity, by the surety of Warin de Waletton and Ralph de Standia. They shall have a chirograph. (*Ibid.*, m. 10).

² The following refers to another suit in which Peter de Burnhull was at this time engaged:—At Lancaster Assizes in 1246, Adam de Pemberton sued Peter de Burnhull (*Brindle*), for 200 acres of land in Pemberton as his right, and of which, Alan, his father, was seized in fee in the time of Henry II. He offered to deraign by the body of his freeman, Philip. Peter defended his right and denied that the said Alan was ever in seisin, which he was ready to defend by the body of his freeman, John de Cophull. The Court considered that John should give pledge to defend, and Philip pledge to deraign. John's sureties were Richard de Trafford, Adam de Radlive, John de Blakeburne and Richard de Pynington. Philip's sureties were Alan de Windehull, William de Pemberton, James de Pemberton and John Mers (or Marsh). Afterwards a duel was armed and fought between them at Warrington (or Warwick ?—*apud War' fuit duellum armatum et percussum inter eos*), and Philip was vanquished in the field. It was, therefore, considered that Peter and his heirs should thereafter hold the land in peace, released by Adam and his heirs. Adam in *misericordia*, Philip in custody. A day was given to them on the morrow of St. Martin at York, when and where they should come armed. (*Assize Roll*, No. 404, m. 9.)

No. 109.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Robert de Samelesbiry, Adam and James his brothers plaintiffs, and William de Samelesbiry, tenant, of four oxgangs and half an oxgang and twelve acres of land in Samelesbiry, which Robert, Adam and James claimed to be the reasonable part which fell to their share of the inheritance which was Roger de Samelesbiry's, father of the said Robert, Adam, James, William and Roger their brother, whose heirs they are.¹

Robert, Adam and James acknowledged the land to be the right of William and his heirs. For this acknowledgment he gave them ten marks of silver.

No. 110.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Geoffrey de Wytingham, plaintiff, and Richard de Wytingham and Hawise his wife, impedients of one oxgang and ten acres of land in Inskyp [*Inskip, parish of St. Michael le Wyre*], respecting which a plea of warranty of charter had been summoned between them.

Richard and Hawise acknowledged the land to be the right of Geoffrey, as that which Geoffrey has by their gift, to hold to him and his heirs in perpetuity rendering yearly one penny at the Assumption of the B.V.M., and performing forinsec service belong-

¹ At Lancaster Assizes, Robert de Samplesbiri, Adam, James and Roger, his brothers, sued William de Samplesbiri, for three-fourths of eight oxgangs of land in Shamplesbiri, which they claimed as their right and share of the inheritance of Roger de Shamplesbiri, lately deceased whose heirs they were. They stated that Cospatrik, their ancestor, was seised in fee in the time of King John, and died seised of the said land, as also of other lands and tenements. After whose death the land descended to his four sons, to wit, to the said Roger, and to Richard, Uctred and Alan, between whom the land was divided, the said Roger having the eight oxgangs for his portion, of which Robert and the others sue for their share, to wit, each of them for one oxgang and a half and the fifth part of an oxgang.

William acknowledged that Cospatric was seised of fourteen oxgangs of land in that vill, but he pleaded that he enfeoffed each of his sons, Richard, Uctred and Alan of two oxgangs of the said land, and died seised of the residue, viz., of eight oxgangs, so that Roger, his eldest son and heir, succeeded to that land as his inheritance, and that land was never divided.

Robert, Adam and James offered the King one mark for an inquiry, as also did William. Afterwards William came and offered half a mark for licence to concord, by his surety, Adam de Hocgton. They shall have a chirograph. (*Ibid.*, m. 4).

ing to one oxgang of land of that fee in that town, for all service. Richard and Hawise for themselves and the heirs of Hawise will warrant the land to Geoffrey. For this grant he gave them six marks of silver.

No. 111.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Richard le Butyler, plaintiff, and Henry le Butyler, impiedient of one oxgang of land and one water corn mill in **Werington**, respecting which a plea of warranty of charter had been summoned between them.

Henry acknowledged the land and mill to be the right of Richard, as that which he has of the gift of Henry. For this acknowledgment Richard granted the land and mill to Henry, to hold of Richard and his heirs for life, rendering yearly half a mark of silver at Easter, for all service. After the death of Henry the premises to revert to Richard and his heirs, to hold of the chief lords of the fee, in perpetuity, for one pound of cumin at the feast of St. Michael, and 4d. at Easter, for all service. This concord was made in the presence, and with the consent of William le Butyler, chief lord of that fee.

No. 112.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Robert Banastre, plaintiff, and Hamon of Polton [*Poulton, parish of Warrington*], and Robert, his brother, whom Robert Banastre claimed as his fugitive natives.

Robert Banastre granted to Hamon and Robert and their heirs that they should henceforth be free and quit of all manner of nativity and secular servitude. For this quit-claim they gave him two marks of silver.

No. 113.—At Lancaster, in one month from Michaelmas, 30 Henry III. [27th October, 1246].

Between William, Abbot of Furness, plaintiff, and Jordan, parson of the Church of Benetham, impiedient of sixty acres of land in **Stubhum**,¹ respecting which a plea of warranty of charter had been summoned between them.

Jordan acknowledged the land, as well in demesnes, homages and services of free men, as in meadows, pastures, turbaries, and fisheries, to be the right of the Abbot, and of his Church of

¹ Probably in Furness. Cf. *Furness Coucher*, p. 604.

Furness, as that which they have of the gift of the said Jordan. For this acknowledgment the Abbot granted the land to Jordan, to hold of the Abbot and his successors, during his life, rendering yearly two pounds of cumin, and 26d. at three terms of the year, to wit, at the feast of St. Martin 12d., at the Nativity of our Lord two pounds of cumin, and at Pentecost 14d. for all service. After the death of Jordan, the land to revert to the Abbot and his successors, to hold of the chief lords of the fee, by the service thereto belonging.

No. 114.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Juliana, formerly the wife of Henry de Walton,¹ plaintiff, and William de Walton, deforciant, of forty acres of land in **Walton**, respecting which Juliana complained that William deforced her of the said land after that he had acknowledged and rendered it to her as her dower, in the Court of the King, before the former Justices in Eyre in the county.

William acknowledged the land to be her right, to wit, twenty acres between Walton meadow and Derbybrok, and twenty acres between Wudemilne and Kyrkeby, to hold all her life of William and his heirs, together with all other lands and tenements which she held in that town upon the day of the making of this concord, in the name of her dower, performing the service belonging to that tenement, which shall remain to her by this fine. After her decease the land to revert again to William.

¹ At Lancaster Assizes, in 1246, a jury came to make a recognition if William de Walton disseised Juliana, formerly the wife of Henry de Walton, of one oxgang and twenty acres of land and 8d. rent in Waleton. She recovered seisin of the oxgang, but not of the other premises. (*Assize Roll*, No. 404, m. 8, *dorso*). At the same Assizes, Juliana sued Richard, son of Henry de Walton, for the third part of twelve oxgangs of land in Wavertre, and four oxgangs in Kirkdale, as her dower. Richard called to warrant William, son of Henry de Waleton, who warranted to him, and pleaded that he ought not to answer this writ, because Juliana had sued for her dower before Robert de Lexington [at the Assizes in 1241] against the said William and others, and by an agreement then made Juliana remitted her claim in all lands and tenements which had belonged to her late husband Henry in that vill, for which release William then granted of that land to Juliana four oxgangs in Neusum, to wit, two oxgangs in demesne and two oxgangs in services, three oxgangs in Wavertre in demesne, and forty acres of waste land in Waleton in a competent place, saving to Juliana the dower which she previously had. The Roll of that Itinerary confirmed this. Verdict for Richard. (*Ibid.*, m. 5).

No. 115.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between John, son of Robert, plaintiff, and William de Moles, tenant, of sixteen acres of land in **Farington**.

John acknowledged the land to be the right of William, to hold to him and his heirs of the chief lords of the fee, rendering the service thereto belonging. For this acknowledgment William gave John 20s. sterling.

No. 116.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Thomas, parson of the Church of Sleyteburn, plaintiff, and Adam, son of Adam de Byri, deforciant of the Manor of **Bradeley** [*Bradley, parish of Chipping*].

Adam acknowledged the Manor, as enclosed in the following bounds, to be the right of the said Thomas, to wit, from Lude [*Loud brook*] to Langrig [*Longridge*] in length, and in width from Bradelaysike to Bradelaybroke, and he quit-claimed it to Thomas in perpetuity. For this acknowledgment Thomas gave Adam three marks of silver.

No. 117.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Alan, son of Simon and Godith his wife, plaintiffs, and William, parson of the Church of Walton, tenant, of one oxgang of land in **Ravenesmeles**;¹ and between the said Alan and Godith, plaintiffs, and Elias, son of Henry de Ravenesmeles, and Richard, his brother, tenants of half an oxgang of land in that vill; and between the said Alan and Godith, plaintiffs, and Robert, son of Edwin, tenant, of one oxgang of land in that vill; and between the said Alan and Godith, plaintiffs, and Adam, son of Alan, tenant, of one oxgang of land in that vill.

Adam and Godith, for themselves and the heirs of Godith, quit-claimed to William, Elias, Richard, Robert and Adam and their heirs all their right in the said lands, which they claimed against them. For this quit-claim they gave Adam and Godith twelve marks of silver.

¹ At Lancaster Assizes in 1246, William, parson of Waleton, gave one mark, Elias the Wudeward and Richard, his brother, half a mark, Robert, son of Eadwin, half a mark, and Adam, son of Alan, half a mark, for licence to concord respectively with Alan, son of Simon and Godith his wife in a plea of land. (*Assize Roll*, No. 404, m. 1, *dorso*).

No. 118.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between William, Abbot of Furness, plaintiff, and Elias de Thorebrandhenid and Amabil, his wife, impediens of half of one oxgang of land in **Oregrave**,¹ respecting which a plea of warranty of charter had been summoned between them.

Elias and Amabil acknowledged the land to be the right of the Abbot, and of his Church of Furness, as that which he has of the gift of Elias and Amabil, to hold to him and his successors in frankalmoign, free and quit of all secular service; and they warranted the land to the said Abbot, who has received them and their heirs into all and singular the benefits and prayers hereafter to be made in his Church for ever.

No. 119.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Henry, Abbot of Cokersand, plaintiff, and Alice de Thorinton, impediens, of six acres of land in **Wytingham**,² concerning which a plea of warranty of charter had been summoned between them.

Alice acknowledged the land to be the right of the Abbot, and of his Church of Cokersand, as that which the predecessor of the said Abbot and his Church, had by the gift of Matilda de Thorinton, mother of the said Alice, and grandmother of Richard de Thorinton, whose heirs they are, to hold in free and perpetual alms, quit of all secular service, and the Abbot has received Alice and her heirs into all the benefits and prayers, hereafter to be made in the said Church. This concord was made in the presence, and with the consent of Richard de Thorinton.

No. 120.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between William de York, provost of Beverley,³ and parson of the Church of Kyrkheym, plaintiff, by brother Richard de Shyngelton, put in his place, and Robert,⁴ son of William de

¹ See the *Coucher of Furness*, p. 234, Charter xeviii.

² See the *Cokersand Chartulary*, p. 233, and p. 231, n.

³ A.D. 1246. The Church of Kirkham is in the King's gift. William de York, provost of Beverley, holds it by the King's gift. Annual value, twelve score marks. (Presentment of the Amounderness jury, *Assize Roll*, No. 404, m. 22).

⁴ Robert, son of William de Kirkham, was co-rector of the Church of Kirkham. (*Dodsworth MS.* liii., ff. 90, 92).

Kyrkheym, tenant of one oxgang of land and one toft in **Kyrkheym**; respecting which a jury had been summoned between them, as to whether the land and toft were free alms belonging to William's Church of Kyrkheym, or Robert's lay fee.

Robert acknowledged the land and toft to be the right of William and of his Church of Kyrkheym and rendered it to him and his successors. For this acknowledgment William gave him one sor sparrow-hawk.

No. 121.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Robert de Mulineus, plaintiff, and Adam de Mulineus, concerning this, that Adam should acquit Robert of the service which William le Butyler claimed from him, of the free tenement which he holds of Adam in **Thorneton**, to wit one carucate of land, of which Adam as mesne tenant ought to acquit Robert, and respecting which Robert complained that by Adam's default he was distrained to do suit at William le Butyler's Court at Werington, from three weeks to three weeks.

Adam granted that Robert and his heirs should henceforth hold the said land of Adam and his heirs, doing therefor forinsec service belonging to one carucate, whereof nine and a half carucates make one Knight's fee, at a scutage only, for all service, suit of court, custom and exaction. With warranty. For this acquittance Robert remitted to Adam all losses which he had incurred by reason of the said suit of court.

No. 122.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Henry de Yolton, and Mariota his wife, plaintiffs, and Roger le Fraunceys, and Ughtred Prat, tenants, of two oxgangs of land in **Farleton Okesrith**, respecting which an assize of *mort d'ancestor* had been summoned between them.¹

¹ At Lancaster Assizes, in 1246, a jury came to make a recognition if Waltheaf de Clafton [*Claughton*], father of Mariota, wife of Henry de Yolton, and Sigherith, her sister, was seised in fee of four oxgangs of land in Farleton, of which Roger le Fraunceis held two oxgangs and Uctred Prat two oxgangs. Roger and Uctred pleaded that no right ought to descend to Mariota and Sigherith, because they were born long before Waltheaf married their mother. Afterwards they concorded, and Henry de Yolton gave half a mark by the surety of John, son of Waltheaf, and Uctred half a mark by the surety of Roger le Fraunceis for licence to concord. They shall have a chirograph. Sigherith was under age, and so her right to take further action in the matter was reserved until she should attain her majority. (*Assize Roll*, No. 404, m. 5).

Roger and Ughtred acknowledged the land to be the right of Mariota. For this acknowledgment Henry and Mariota granted to Roger and Ughtred one oxgang of this land, to wit, the oxgang which is towards the north, wheresoever it lies in the fields, to hold of Henry and Mariota, and the heirs of Mariota in perpetuity, performing the service belonging to that land. With warranty. The residue of the land to remain to Henry and Mariota, and the heirs of Mariota, quit of any claim by Roger and Ughtred and their heirs.

No. 123.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Hugh, son of William and Cecily his wife, Henry de Dunham and Hawise his wife, plaintiffs, and Hugh Querderay and Isold his wife, tenants, of the moiety of two oxgangs of land in **Penelton**,¹ which Henry and Cecily, and Henry and Hawise claimed to be the reasonable share belonging to Cecily and Hawise of the inheritance of Siward de Penelton, father of Cecily, Hawise and Isold, whose heirs they are.

Hugh and Cecily, Henry and Hawise quit-claimed for themselves and the heirs of Cecily and Hawise, to Hugh de Querderay and Isold, and to the heirs of Isold, all their right in the moiety of the two oxgangs. For this quit-claim Hugh and Isold gave Hugh and Cecily, Henry and Hawise 22s. sterling.

No. 124.—At Lancaster, in a month from Michaelmas, 30 Henry III. [27th October, 1246].

Between Henry, Abbot of Cokersand, plaintiff, and John de Haydoke and Agnes his wife, impediens, of forty acres of land in **Hoton** [*Hutton, parish of Penwortham*].²

John and Agnes acknowledged the land to be the right of the Abbot, and of his Church of Kokersand, as that which he has by the gift of John and Agnes, to hold to him and his successors and the Church of Cokersand in free and perpetual alms, free from all secular service. With warranty. For this acknowledgment the Abbot granted to John and Agnes two oxgangs of land in Erthbury [*Arbury, parish of Winwick*],

¹ Great Pendleton, parish of Whalley. Hugh Querderay—whose name appears in the original chirograph as "Quer de Rey," and in the *Assize Roll* of 1246 as "Queor de Rey"—was probably father of William, who held land here in 1311. Henry de Dunham was evidently of the neighbouring village of Downham.

² See *Cokersand Chartulary*, p. 443.

being all the land which the Abbot had in that town, on the day of the making of this concord, to hold to John and Agnes, and the heirs of Agnes in perpetuity, rendering yearly one penny at Easter, and performing forinsec service belonging to that land, for all service. With warranty.

No. 125.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Henry, Abbot of Cokersand, parson of the Church of Gayerstang, plaintiff, and Jordan, son of Thorfin, tenant, of one oxgang and six acres of land in **Gayerstang**,¹ respecting which a jury had been summoned between them, as to whether the land was free alms belonging to the said Church of Gayerstang and to the Abbot, or was the said Jordan's lay fee.

Jordan acknowledged the land to be the right of the Abbot and of his Church of Gayerstang and rendered it to him, and quit-claimed all his right to the Abbot and his successors. For this acknowledgment the Abbot gave him 30s. sterling.

No. 126.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between William de York, provost of Beverley and parson of the Church of Kyrkheym, plaintiff, by brother Richard de Shyngelton put in his place, and Alan de Neuton, tenant, of one oxgang of land in **Kyrkheym**² [*Kirkham*], respecting which a jury had been summoned, as to whether the land was free alms belonging to the said Church of Kyrkheym, or the said Alan's lay fee.

Alan acknowledged the land to be the right of William, and of his church of Kyrkheym, and rendered it to him, and quit-claimed all his right to William and his successors, parsons of the said church. For this acknowledgment William gave him one sor sparrow-hawk.

No. 127.—At Lancaster, in three weeks from Michaelmas, 30 Henry III. [20th October, 1246].

Between Ralph de Leventon, plaintiff, and Alan le Norreys and Margaret his wife impediens of ten oxgangs of land in **Safhole**,³ respecting which a plea of warranty of charter had been summoned between them.

¹ See *Cokersand Chartulary*, pp. 276, 285.

² Cf. No. 120, *antea*.

³ This is a Cumberland Fine relating to Staffol, parish of Kirkoswald. Cf. *Cumberland Final Concords*, 30 Henry III., No. 43.

Alan and Margaret acknowledged the land to be the right of Ralph, as that which he has by their gift, to hold to him and his heirs in perpetuity, rendering yearly one penny at Carlisle Fair, and performing to the chief lords of the fee for Alan and Margaret, and the heirs of Margaret all other services belonging to that land. With warranty. For this acknowledgment Ralph gave them two marks of silver.

No. 128.—At Appelby, on the morrow of St. Martin, 31 Henry III. [12th November, 1246].

Between Robert de Coyners and Alice his wife, and Mathew de Redemayn, plaintiffs, and Thomas de Bethum, respecting this, that Thomas had been summoned to answer Robert and Alice, and Matthew by what right he claimed to have common in their land in Yelond [*Yealand*], inasmuch as they have no common in Thomas' land, nor does Thomas perform any service to them whereby he ought to have common in their land.¹

¹ At Lancaster Assizes in 1246, Thomas de Bethum was summoned to answer Robert de Koyners and Alice, his wife, and Matthew de Redeman in a plea by what right he claimed to have common in their land in Yholand, inasmuch as they had no common in his land, nor did he perform any service to them. Thomas appeared and stated that all his ancestors from the conquest of England had been seized of common in the land of the ancestors of Alice and Matthew in that town until then, and that he did not claim common in that land, because it was just as much his own soil as the soil of Robert, Alice and Matthew, and further that none of them knew his own severalty therein, because that land had never been partitioned between them. Afterwards they concorded, Matthew and Robert giving five marks, and Thomas five marks for licence to concord (*Assize Roll*, No. 404, m. 12). From this it appears that the townships of Silverdale, Yealand Conyers, Yealand Redmayne and Beetham had right of pasturage over these townships in common, and not in severalty. Beth-leghton, otherwise Leighton, was merely the name of the demesne of Yealand.

Dodsworth has preserved a record referring to the original charter of feoffment of Yealand and Silverdale by William de Lancaster I. or II., to Adam de Auerenge, *temp.* Henry II., which he found among the charters of Thomas Middleton of Leighton, Esq., then in the custody of Robert Strickland, Esq., at Sizergh, near Kendal, as follows:—"Willelmus de Lancastre dedit Adæ de Yeland et hæredibus suis pro homagio et servitio suo, villam de Yeland cum Selredale, cum omnibus pertinentiis suis, quas Willelmus de Lancastre, vetus, dedit Adæ de Auerenge, avo ejusdem Adæ, pro homagio et servitio suo, silicet unam Karucatam terræ et dimidiam per servitium militare. Testibus—Gilberto de Lancastre, Rogero de Lancastre, Thoma de Bethom, Ricardo de Coupland, Mathæo de Redeman,

Robert and Alice, and Matthew granted for themselves and the heirs of Matthew and Alice, that eight of Thomas' men and of his heirs' men of Bethelughton should henceforth have common of pasture in Yeland for forty beasts, one hundred sheep, and sixty goats for ever, within the following bounds, to wit, beginning at . . . [mutilated] Bethelughton, where a certain lane extends from Bethelughton to the road hard by, leading from Yeland to Selredal [*Silverdale*], along that road to the valley outside Hokereytherig towards the east . . . [mutilated] across to Arnolvesheued Dub¹ and so upwards by the said stream to Bethelughton; and in like manner that those men should henceforth have forty pigs quit of pannage within the said bounds, from the feast of St. Michael to [Martinmas (?) *several words mutilated*], when there should be a fall of mast (*peSSona*) theré. They also granted that those men should henceforth have within these bounds their reasonable estovers to "husbote and haybote" at Bethelughton by the view of the foresters of the said Robert and Alice, and Matthew for ever. For this concession Thomas released to them all his right to claim any other common, or estovers, or any . . . [mutilated] in their land in Yeland for ever, so that it should be lawful to them henceforth to break up (*frussire*), assart, cause to be cultivated, and make profitable all their

Thoma de Burgo, Ricardo de Preston, Henrico de Alnolf, Ada de Coupmanwra, Patricio de Berwicke et multis aliis [S.D. 1220—1236]. From which it appears that Adam de Auvergne or Auvergne (?) had two daughters and heiresses, one the wife of . . . de Yealand, a name doubtless assumed upon the death of the father-in-law, and the other the wife of Henry, son of Norman de Redman. De Yealand had two sons, William, who died *s.p.*, and Sir Adam de Yealand, who was Sheriff of Lancaster from the 12th to the 17th Henry III. Alice, his only daughter and heiress, married Robert de Conyers. Henry de Redman had two sons, Norman, who died young *s.p.*, and Matthew de Redman. These two were plaintiffs in the action referred to above, and were returned in the Feodary of 1242 as holding the eighth part of one knight's fee in Yealand of the fee of William de Lancaster III. (*Testa* ii., f. 792). When Yealand was ultimately partitioned between these two families, the moieties acquired the distinctive names of Conyers and Redmayne. There is some reason for the belief that Adam de Auvergne was none other than Adam, the Dean of Kirkham in Amounderness, whose name occurs so frequently in charters dating from 1180 to 1210. In the 31 Henry II., he paid two-and-half marks for licence to marry his daughter to the son of Norman de Redman, i.e., Henry, father of Matthew (*Lancashire Pipe Rolls*, pp. 54, 157).

¹ Arnside Dub, or Deep pool, now Hawes Water.

tenements in that town outside the said bounds, without gainsay of Thomas or of his heirs for ever.

No. 129.—At Worcester, on the morrow of the Purification of the Blessed Virgin Mary, 33 Henry III. [3rd February, 1249].

Between Robert de Molyneaus, plaintiff, by Robert de Molyneaus his son, put in his place, and William de Molyneaus, concerning this, that William should acquit Robert of the service which William le Butiler claimed from him, of the free tenement which he held of William de Molyneaus in Thornton, to wit, of one carucate of land, respecting which a fine had been previously levied before the Justices, in the last Eyre at Lancaster, between Robert de Molyneaus, the plaintiff, and Adam de Molyneaus,¹ father of the said William, whose heir he is, concerning this, that Adam should acquit Robert of the service which William le Butlyer, claimed from him, of the free tenement which he held of Adam, and of which William, as *mesne tenant* (*medius*) between them, ought to acquit him; respecting which Robert complained that by reason of William's default he was distrained upon to feed William le Butiler's beadles (*budellos*) whenever they came to the manor of Thornton, according to that which belongs to the tenement which he holds of William in in that town; and likewise that he should do "Bode" and "Wythnes" at the Court of Werrington for his said tenement in that town; respecting which a plea "of fine made" had been summoned between them.

¹ Since the date of the previous concord (No. 121), viz., 20th October, 1246, Adam de Molyneux was deceased. William, his son and heir, had not observed the terms of that agreement, hence this suit. Some interesting particulars are given of the services due to the chief lord (Boteler of Warrington) for Thornton, of which Robert was claiming acquittance from William de Molyneux. When Boteler's beadles came to the Manor of Thornton to summon or cite anyone to the Court at Warrington, or to make any proclamation, they claimed meat, if not drink, from this tenement. The words are "quod pasceret budellos . . ." Further, there was the obligation of doing Bode and Witness to the Court at Warrington, i.e., going thither to give information of any matter which had happened, or had been discovered, which belonged to the jurisdiction of that Court, and to testify there to any matter on behalf of suitor or appellee. These duties were to be performed by Robert de Molyneux as tenant, but William as *mesne tenant* was to perform suit as a juror at the three-weeks' Court at Warrington.

William granted that Robert and his heirs should henceforth hold the land of William and his heirs for ever by performing to the chief lords all the service thereto belonging, for all service and custom, except suit of court at Werington, of which William and his heirs will acquit and defend Robert and his heirs against the chief lords of the fee, except of "Bode" and "Wythnes," which Robert and his heirs shall perform at the said Court for ever. Moreover William granted to Robert twenty-six sellions of land in Havcroft, with half the messuage, which Simon de Molyneaus once held in Cefton, and one pound of pepper yearly, to be taken at the Nativity of our Lord from William's land of Peperfeld, and two solidates of rent yearly to be taken at the feast of St. Michael from the land which Henry le Despenser held of William on the day of the making of this concord, saving to William and his heirs all other services and profits of that land of Peperfeld, and of the land which Henry le Despenser held on the day of the making hereof, as aforesaid. So that if the tenants of the land of Peperfeld, and of the land which Henry le Despenser once held as aforesaid, do not render the pound of pepper and the said 2s. at the said terms, it shall be lawful to Robert and his heirs to distrain upon the said tenements and all chattels found thereon, until full payment of all arrears be made, without gainsay of William or his heirs. For this grant and acquittance Robert remitted to William all the losses which he said he had sustained by reason that William had not upheld the fine made between Robert and Adam, the father of William, whose heir he is. Be it known that this fine cancels the fine previously made.

No. 130.—At Westminster, on the morrow of the feast of St. John the Baptist, 34 Henry III. [25th June, 1250].

Between William de Valence and Joan his wife,¹ plaintiffs,

¹ Henry II., in the last year of his reign, gave Cartmel to William Marshal, who founded there a Priory of Augustinian Canons. Having married Isabel, daughter and heir of Richard de Clare, Earl of Pembroke, he acquired that Earldom. He was Earl Marshal of England, and died in 1219, leaving five sons, William, Richard, Gilbert, Walter, and Anselm, who each in succession possessed their father's lands and honours, and died without issue; and five daughters, of whom the second, Joan, was married to Warin de Munchensi, who had issue by her, William de Munchensi, son and heir, and Joan, married to William de Valence, who brought to her husband *inter alia* Cartmel, which belonged to her of her mother's purparty

by Sams[on] de Saunford, put in their place, and Richard, Prior of Kartmel, deforciant, by William de Culewrth, his canon, put in his place, of the patronage of the Priory of **Cartmel**, respecting which a plea of covenant had been summoned between them.

The Prior acknowledged and granted for himself and successors, and his Church of Kartmel, that whenever the office of Prior should fall vacant, the canons of that place, by their conventual letters patent, by a canon of that place, would beg of William and Joan, and the heirs of Joan, the licence to choose a Prior, if they should be in England, or from their Steward of Penebroke for the time being, if abroad, and should then without gainsay or impediment have licence to choose a Prior to themselves; so that after one be chosen Prior, they should present their election to William and Joan, and the heirs of Joan, or to the Steward, and him they would present by their letters patent without gainsay to the Ordinary of the place for the time being. And if after so doing the said William and Joan would not grant licence to choose, or would not present to the Ordinary, it should be lawful for the canons to elect a canon to the office of Prior, and having so elected, to present him to the Ordinary without gainsay of William and Joan. Moreover the Prior granted that whenever it happened that the Priory became vacant, William and Joan should have the custody of the Priory, but so that they should only have there during the period of vacancy, one servant with two horses and two grooms, at the charge of the Priory, who should have no administration of any matters at the Priory, save only, that by the Cellarer, and by the view of that servant all manner of necessities should be supplied to the canons, brethren, and servants of that Priory without waste or destruction. For this acknowledgment and concession, William and Joan released to the Prior and his successors, and to his Church, all right to claim or have any other custody of the Priory, or of any lands or tenements thereunto belonging, at the time of any vacation or vacancy. For this release the Prior gave them forty marks of silver.

of the inheritance which fell to the five sisters or their heirs, after the death of Anselm Marshal on the 5th December, 1245. William de Valence, who with his said wife, Joan, was the plaintiff in the suit here concorded, was the son of Hugh le Brun, Earl of Marche, on the confines of Poictou, by Isabel, widow of King John and mother of Henry III. He was created Earl of Pembroke in or before 1264. This explains the connection of Valence with Cartmel Priory.

No. 131.—At Westminster, on the Quindene of Easter, 35 Henry III. [30th April, 1251].

Between William de Ferrars, Earl of Dereby,¹ plaintiff, and Herbert de Louton and Mabilia his wife, impedients, of thirty acres of land in Cherlegh [*Chorley*], respecting which a plea of warranty of charter had been summoned between them.

Herbert and Mabilia acknowledged the land to be the right of the Earl, as that which he has by their grant, to hold of Herbert and Mabilia, and the heirs of Mabilia, rendering yearly one half-penny at Easter for all service. With warranty. For this acknowledgment the Earl gave them ten marks of silver.

¹ By charter dated at Portsmouth, 18th October, 13th year (1229), Henry III. granted to "our beloved and faithful Ranulf, Earl of Chester and Lincoln, all the land which we have between Ribbel and Merse in the county of Lancaster, to wit, the town of West-dereby with the Wapentake, and all appurtenances, the borough of Liurepul, the town of Salford with the Wapentake, and all appurtenances, and the Wapentake of Leiland with appurtenances," to hold by the yearly render of a mewed goshawk (i.e., one which had passed the moulting season), or forty shillings. This grant included all the demesne lands in the hands of the crown, between Ribble and Mersey, including one carucate in Altcar. The Earl of Chester died before 27th October, 1232, having shortly before his death acquired the Lancashire estates of Roger de Marsey. After whose death these estates fell to William Ferrers, Earl of Derby, in right of Agnes his wife, third daughter and heir of the said Earl of Lincoln. On the 16th September, 1233, the King sent word to the Sheriff of Lancaster to deliver seisin to William, Earl of Ferrers, of all Knights' fees in his bailiwick, which lately belonged to Ranulf, Earl of Chester, but expressly excepting the land between Ribble and Mersey, until the King had inspected his charter granting that land to the Earl of Lincoln, of which seisin was not delivered until the following year. (*Close Roll*, 17 Henry III., m. 3). An important entry occurs in the same Roll, on m. 4, as follows:—"Of the Knights fees which were held of Ranulf, Earl of Chester, partitioned between his heirs. The Sheriff of Lancaster [will answer] for Earl Ferrers respecting John, Earl of Lincoln and Constable of Chester, Thomas Gredle, William le Boteler, Henry de Munegeden, Robert Banastre and Adam de Mulinella, &c., saving to Clemence, Countess of Chester, her dower of the said services, which have been assigned to her in her dower." This proves that the grant to Ranulf, Earl of Chester, not only included the land between Ribble and Mersey, but the lordship over the fiefs of Manchester, Widnes, Warrington, Tottington and Croston, Makerfield and Sefton, and explains why these fees were all described in the Feodary of 1242 as held of the Earl Ferrers, and he as holding of the King in chief; whereas the fees of Penwortham, Clitheroe, Weeton and Garstang, &c., were all held of the King in chief *sine medio*. See *Testa de Nevill*, II. f. 785-f. 792.

No. 132.—At Westminster, on the Quindene of Easter, 35 Henry III. [30th April, 1251].

Between Henry de Notingham, plaintiff, and Richard, Abbot of Mirivall, deforciant, of common of pasture, which the Abbot claimed to have in his land in **Altekar**.¹

Henry quit-claimed to the Abbot and his successors, and to the Church of Mirival all his right in common of pasture there. For this acknowledgment the Abbot gave him 40s. sterling.

No. 133.—At York, on the Quindene of St. Hilary, 36 Henry III. [27th January, 1252].

Between John de Cauncefeld,² plaintiff, and Hugh de

¹ The charter of the grant of Altekar by Earl Ferrers to the Abbey of Merevale does not appear to have been preserved, but it passed sometime after 1233, and probably before 1237. (Cf. No. 165, *note*).

² John de Cantsfield has already occurred in a suit about land in Cantsfield (No. 46, *antea* p. 66). Sir John de Cantsfield was Deputy Sheriff of Lancashire during an unascertained year or years between 1260—1265 (*Whalley Coucher*, p. 451). The above concord confirms a previous grant or sale of the Manor of Farleton by Hugh de Morwich (see *note*, p. 31) to this John de Cantsfield, who had acquired his surname from an estate held under Hugh, in the adjoining township of Cantsfield, by the yearly service of two marks. This latter estate probably descended from (2) Akarias de Austwick (No. 16, *temp.* John, p. 14 *antea*) to his eldest son, (2) Ingrid de Cantsfield (No. 54, p. 31), and from Ingrid to (3) William, his son, who was, I believe, the father of (4) John de Cantsfield (Cf. *Fine Roll*, 55 Henry III. m. 15). This descent, however, requires verification. Sir John de Cantsfield was knighted between the years 1248—1254 (*Furness Coucher*, pp. 489-490), and died before 1265, leaving issue his son and heir, (5) Sir Richard de Cantsfield, who married Alice, sister and heir of Robert le Flemyng, which Robert, after the death of his brother Michael by drowning in the river Leven, had succeeded to the estates of his father, Sir William le Fleming of Furness, lord of Aldingham. Sir Richard died *circa* 1269, (6) John, his son and heir, being then under age. John de Cantsfield was found to be tenant of six carucates of land in Farleton and Cantsfield by military service at the death of Geoffrey de Nevill, lord of Hornby, shortly before 26th March, 1285 (*Escaeta*, 13 Edw. I., No. 19). He died 1289, and was succeeded by his brother, afterwards Sir William de Cantsfield, who at the time of his brother's death, was within a few weeks of attaining his majority. The story of how he and his friends forcibly and violently entered upon the Manor of Aldingham and ejected the Abbot of Furness, who was entitled to the custody of that Manor, and the wardship of the said William, is fully told in the *Furness Coucher*, and in the *Annales Furnesienses*, p. 228. Sir William died without issue 27th May, 1293, his sister Agnes, wife of Sir Robert de Harrington, Knt., being his heir. Aldingham afterwards descended through the heirs of Sir Robert de Harrington II., grandson of

Morewyke, deforciant, of the manor of ffarleton, respecting which a plea of covenant had been summoned between them.

Hugh acknowledged the manor, to wit, whatever Hugh formerly held there, to be the right of John, as that which he has by the grant of Hugh, to hold of Hugh and his heirs, performing to the chief lords, for the said Hugh, all services and and suits belonging to that manor. With warranty. Moreover Hugh quit-claimed to John all his right in two markates of rent, which John used heretofore to render to Hugh for the tenement which he holds of Hugh in Cauncefeld. For this acknowledgment John gave Hugh one sor sparrow-hawk.

No. 134.—At Westminster, on the Octave of Holy Trinity, 36 Henry III. [2nd June, 1252].

Between Adam de Knusley and Godith his wife, plaintiffs, and Adam de Wynstaneslegh, tenant, of one oxgang and the third part of an oxgang of land in **Wynstaneslegh**.¹

Adam de Knusley and Godith acknowledged the land to be the right of Adam de Wynstaneslegh, and quit-claimed it to the said Adam and his heirs. For this acknowledgment Adam de Wynstaneslegh granted that two parts of all the profits arising both from aeries of sparrow-hawks and from pannage, as also from pasture within the wood of Wynstaneslegh and without, should remain for ever to Adam de Knusley and Godith and the heirs of

Sir Robert I., to William de Bonville, Baron Bonville, but commonly called Lord Harrington, who was killed at the battle of Wakefield. Farleton and Cantsfield descended to the heirs of Sir John Harrington, younger brother of Sir Robert II., which branch became lords of Hornby Castle *temp.* Henry VI.

¹ Winstanley and the two Billinges formerly comprised a single estate, which Adam de Billinge held in 1212 in thanage by the yearly service of 10s., and finding one judgeship or suitor to the Court of the fee of Makerfield, held at Newton. The whole was rated for geld at only four oxgangs, or half a carucate. Winstanley, containing one and one-third oxgang, had been granted out at a very early date. At the commencement of the thirteenth century it was held under Adam de Billinge by Roger de Winstanley, son of Outi. (*Testa*, ii., f. 830). Adam de Winstanley, the tenant in 1252, was probably son of Roger. He was the father of another Roger, living in 1283. (*Cockersand Charters*). It is impossible to say who Godith might be, or how she came to sue Adam for a recognition of her title to hawks, pannage of swine and pasture in Winstanley, but the nature of her claim points to some relationship with the family of Billinge, the *meane tenants* under Banastre, and over-lords of Winstanley. Her husband evidently belonged to a family who held an estate in Knowsley, under the Lathoms.

Godith, who granted that the third part of all the above mentioned profits should remain to Adam de Wynstaneslegh and his heirs. For this concession Adam gave them eighteen marks of silver.

No. 135.—At Westminster, on the Quindene of St. Hilary, 36 Henry III. [27th January, 1252].

Between William de Ferrars, Earl of Derby, plaintiff, by Peter de Gatesden, put in his place, and William Bussel and Alice, his wife, impediens of four oxgangs of land in Cherle [*Chorley*], respecting which a plea of warranty of charter had been summoned between them.

William Bussel and Alice acknowledged the land to be the right of the Earl, as that which he has by their gift, to hold of them and the heirs of Alice for ever, rendering yearly one half-penny at Easter for all service, suit of Court, and custom. With warranty. For this acknowledgment the Earl gave them eighteen marks of silver.

No. 136.—At Westminster, on the Quindene of Easter, 38 Henry III. [26th April, 1254].

Between Henry, Abbot of Cokersand, plaintiff, and Gervase de Oxclifve and Alice his wife, impediens of one oxgang and twelve acres of land in Ellale,¹ respecting which a plea of warranty of charter had been summoned between them.

Gervase and Alice acknowledged the land to be the right of the Abbot and of his Church of Cokersand, to hold of them and the heirs of Alice, rendering yearly 40s. sterling and two stones of wool at the three terms, to wit, at the feast of St. Michael 20s., at Easter 20s., and at Pentecost two stones of wool, during all the life time of Alice, and performing to the chief lords of that fee for Gervase and Alice all other services belonging to that land. With warranty. After the decease of Alice the said Abbot and his successors, and his Church shall be quit of the payment of 40s. and of the wool for ever. For this acknowledgment the Abbot gave them five marks of silver.

No. 137.—At Westminster, in one month from Easter, 38 Henry III. [10th May, 1254].

¹ This oxgang of land called Hobyrestad in Ellel [*now Hubbersty*] was given in frankalmoin to the canons of Cokersand by Alice de Watermillock, wife of Gervase de Oxclive. (*Cokersand Chartulary* f. 113).

Between Robert Banastre, plaintiff, and Peter de Brunhull, deforciant, respecting the suit which Robert claimed from Peter to his mill in **Neuton**.¹

Robert quit-claimed to Peter and his heirs all right of claiming or having any suit of mill from Peter and his heirs, or from the men and tenants of Peter's fee in Ashton; so that it should be lawful to Peter to erect and maintain a mill, wheresover he would in his land of Ashton, and to have the suit of the men of that town without any claim which Robert and his heirs might or could have upon the said mill or suit. For this acknowledgment Peter granted for himself and his heirs that they would yearly render at Neuton to Robert and his heirs 2s. at Easter for ever; and he gave Robert thirty-five marks of silver.

No. 138.—At Westminster, on the Quindene of Michaelmas, 38 Henry III. [13th October, 1254].

Between Richard, son of Robert de Prestecote, plaintiff, and Richard de Waleton, parson of the Church of Huyton, tenant, of thirty acres of land in **La More**.²

Richard de Prestecote quit-claimed to Richard the parson all his right in the land. For this release he gave him six marks of silver.

No. 139.—At Westminster, on the Quindene of Easter, 39 Henry III. [11th April, 1255].

Between Adam de fferneworth, plaintiff, and Gilbert de Barton, concerning this, that Gilbert should acquit him of the service which Thomas de Grelley claimed from the free tenement which Adam holds of Gilbert in **fferneworthe** [*Farnworth*], to wit, from one oxgang and half an 'oxgang of land, whereof

¹ Robert Banastre was lord of Makerfield *circa* 1250 to 1292. His residence and demesne was at Newton. Peter de Burnhill or Brindle held under him in thanage three-and-half carucates of land in Ashton-in-Makerfield, and in Hindley, by the service of 35s. yearly, and to find one-and-half judgeship, or suitor to Robert's Court of Newton. (*Testa*, ii., f. 829). This concord evidently terminated a suit instituted by Robert Banastre to compel Peter and his tenants to grind at the baronial mill at Newton-in-Makerfield. Peter successfully resisted the claim, and secured the right to erect a mill at Ashton, for his own manor, for a merely nominal yearly acknowledgment of two shillings, and a payment of thirty-five marks.

² Possibly More Hall in Liverpool, formerly the seat of the family of More or Moore. There was an estate in Huyton called "**La More**," which is more probably the one referred to here.

Gilbert as mesne tenant between them ought to acquit him, and whereof Adam complained that Thomas had by reason of the default of Gilbert distrained him that he should pay 3s. yearly for the said tenement.¹ Gilbert acknowledged and granted that

¹ This claim to acquittance against Thomas Grelley of the yearly service due from Farnworth, may possibly have had some connection with a dispute which had arisen a few years before between Grelley and Gilbert de Barton, respecting the service due by the latter in respect of the extensive estates which he held in the Barony of Manchester. In three weeks after Easter, 34 Henry III. [17th April, 1250], in the King's Court at Westminster, before Roger de Thirkleby and his associates, Gilbert de Barton had been attached to answer Thomas Grelley in a plea that he should uphold the agreement made in the King's Court at Lancaster (No. 101 *antea*, p. 93), between Thomas, the plaintiff, and Gilbert, deforciant of customs and services which Thomas claimed from him for the free tenement which he holds of Thomas in Barton; respecting which Thomas, by his attorney, says, that whereas by that concord Gilbert owes him Sacfe and suit to Thomas' Court and his heirs' Court of Mamecestre, from three weeks to three weeks, to wit, for thirteen oxgangs of land, and shall not give, sell, pledge, nor otherwise alienate without the licence and consent of Thomas and his heirs, the said Thomas against the tenour of that fine has withdrawn the said Sacfe, to wit, 4s. 1d., and has further withdrawn the said suit to Thomas' Court of Mamecestre from three weeks to three weeks. And he further says that Gilbert has given to his daughter, of the age of eight-and-half years, the moiety of his whole tenement aforesaid. Wherefore by the withdrawal of Sacfe and suit of Court, and by the alienation aforesaid he has suffered loss to the value of £20, &c.

And Gilbert comes and defends the wrong, &c., and fully acknowledges the said agreement and whatever is contained therein, nor can he deny that he has given the moiety of the said tenement to his daughter. It is therefore considered that Gilbert shall make satisfaction to Thomas for the loss which he has sustained by cause of that gift, and he shall be in mercy for trespass.

And respecting Sacfe and suit of Court he says that in no way has he contravened that concord, in that after it had been made he rendered Sacfe and did suit at his (Thomas') Court. That this is so he puts himself upon the country; and Thomas likewise. Therefore the Sheriff is directed to cause twelve knights and others to come into full County Court before him, and before the Coroners, by whom diligent inquiry shall be made if Gilbert has always rendered Sacfe and done suit to Thomas' Court of Mamecestre after the making of that concord, according to Gilbert's statement, or no; and to certify the result of the inquiry upon the Octave of St. John the Baptist by his letters.

Afterwards upon that day the Sheriff sent the inquisition, which says that after the said concord had been made, Gilbert withdrew from Thomas 3s. 11d. of Sacfe, and did suit once at Thomas' Court from three weeks

henceforth he and his heirs would acquit and defend Adam and his heirs from that and all other service belonging to that tenement, against Thomas and his heirs. For this acknowledgment Adam remitted all the loss which he said he had sustained by reason of non-acquittance of the said service.

No. 140.—At Westminster, on the Quindene of Michaelmas, 39 Henry III. [13th October, 1255].

Between John de Heris, plaintiff, and Isabel de Heris, deforciant, by Jordan, son of Peter, put in her place, of two oxgangs of land in **Cliderhou**, respecting which a plea of covenant had been summoned between them.

Isabel acknowledged the land to be the right of John, as that which he has by her gift, to hold of her and her heirs by performing to the chief lords for Isabel, the service belonging to that land. With warranty. For this acknowledgment John owes Isabel one sor sparrow-hawk.

No. 141.—At Lancaster,¹ on the Octave of Holy Trinity, 40 Henry III. [18th June, 1256].

Between Henry de Lee, plaintiff, and Ranulf de Mellinges, and Alice his wife, impediants of two acres of land in **Mellinges**, [*Melling, parish of Halsall*], respecting which a plea of warranty of charter had been summoned between them.

Ranulf and Alice acknowledged the land to be the right of Henry, as that which he has by their gift, to hold of them and the heirs of Alice in perpetuity for one clove gillyflower (*clavum garyofili*), at the feast of St. Martin, in winter, for all service.

to three weeks. It is therefore considered that Gilbert shall for the future render the said Sacfe; and the Sheriff is directed to levy the said 3s. 11d. from Gilbert's lands and chattels. (*Curia Regis Roll*, No. 139, m. 9).

¹ In the year 1256, Assizes were held at Lancaster during the fortnight commencing the 18th June. The Justices in Eyre were John, Abbot of Peterborough, Robert de Thirkleby, Peter de Percy, Nicholas de Hanlau and John de Wyvill. No Assize Roll of this Eyre in Lancashire is now known to exist, but twenty Final Concords made before the Justices are given here, Nos. 141 to 160. In the *Pipe Roll* of 41 Henry III., the Sheriff rendered account of £652 17s. 10d. amercements of men and townships, particulars of which were given in the Roll of Amercements which the Justices had delivered to the Treasury. Of this sum the Sheriff delivered £531 17s. 10d. to the Treasury, and £121 to Roger, the King's tailor, and to Hugh of the Tower, keepers of the King's wardrobe, to discharge certain purchases made on the King's account in the market of St. Botolph (Boston, in Lincolnshire).

Moreover they granted to Henry and his heirs, that henceforth he should have common of pasture in that town for sixteen cows, four mares, twelve sheep, with the offspring in each instance of two years old, and twenty pigs in their woods in that town free from pannage. With warranty. For this acknowledgment and concession he owes them 7s. sterling.

No. 142.—At Lancaster, on the Quindene of Holy Trinity, 40 Henry III. [25th June, 1256].

Between Richard de Bryches, and Margery his wife, plaintiffs, and Adam Ballard, tenant of one oxgang of land in **Litherlond**.

Adam acknowledged the land to be the right of Margery, and rendered it to the said Richard and Margery. For this acknowledgment they granted, at the request of Adam, to Robert Ballard, son of Adam, in marriage with their daughter Emma, all the said land, to hold to Robert and Emma, and the heirs of Emma, of Richard and Margery, rendering one pair of white gloves yearly at the Nativity of St. John the Baptist, and performing to the chief lords of the fee, for Richard and Margery, the service belonging to that land. Provided that if Emma shall happen to die without heirs of her body, the land shall revert to Richard and Margery, and to the heirs of Margery; and the said Robert shall not sell nor alienate the land, and the reversion thereof after the death of Adam shall be to Robert, his son and heir.

No. 143.—At Lancaster, on the Octave of Holy Trinity, 40 Henry III. [18th June 1256].

Between Geoffrey the Cook (*Cocus*), plaintiff, and William de Singleton, deforciant of forty acres of land in **Brecton** [*Broughton, near Preston*], respecting which a plea of covenant had been summoned between them.

Geoffrey acknowledged the land to be the right of William. For this acknowledgment he granted it to Geoffrey, with common of pasture belonging to so much land, and the appurtenances, to hold of the said William, rendering yearly one pair of white gloves at the Nativity of our Lord for all service, suit of court and customs. With warranty. Afterwards Geoffrey quit-claimed to William and his heirs all right in the lands and tenements which William has in the said town on the day of the making of this concord.

No. 144.—At Lancaster, on the Octave of Holy Trinity, 40 Henry III. [18th June, 1256].

Between Sabina de Hocwyk, plaintiff, and Alan de Hocwyk, tenant, of ten acres of land in **Hocwyk** [*Howick*].

Sabina acknowledged the land to be the right of Alan, and quit-claimed it to him. For this release he gave her 40s. sterling.

No. 145.—At Lancaster, on the Morrow of the feast of St. John the Baptist, 40 Henry III. [25th June, 1256].

Between Adam de Bury, plaintiff, and Adam de Haselum, and Roger de Noteho, deforciants of suit which Adam de Bury claimed from them to his mill in **Bury**.

Adam and Roger granted for themselves and their heirs that they would henceforth do their suit at the said mill of Adam de Byri, and would grind their corn arising from lands which they hold of Adam, to the twentieth measure (*ad visesimum vas*), but that if, by Adam's default, the said mill should fall into decay, or otherwise if they should not be able to grind there, that it should be lawful for them and their heirs to grind elsewhere, without giving any multure to Adam. For this acknowledgment Adam de Bury released to Adam and Robert all losses which he said he had sustained by default of their suit.

No. 146.—At Lancaster, on the Octave of the feast of St. John the Baptist, 40 Henry III. [1st July, 1256].

Between John de Stalmin, plaintiff, and Adam de Stalmin, tenant, of three oxgangs and thirty acres of land in **Stalmin**, respecting which an assize of *mort d'ancestor* had been summoned between them.

John acknowledged the land to be the right of Adam, and quit-claimed it to him. For this release he gave John two marks of silver.

No. 147.—At Lancaster, on the Quindene of Holy Trinity, 40 Henry III. [25th June, 1256].

Between William de Karleton, plaintiff, and Robert de Stokeport, concerning this, that Robert should acquit William of the service, which Agnes de Lancastre¹ claimed from him, of the free tenement which he held of Robert in **Karleton**, to wit, one

¹ Agnes de Brus, widow of William de Lancaster III. She held the fee of Garstang in dower. Robert de Stockport was the grandson of Sir Robert de Stockport, who married Matilda, one of the daughters and co-heirs of Richard, son of Roger. See *Cockersand Chartulary*, p. 144, note.

carucate and half a carucate of land, whereof Robert as mesne tenant ought to acquit him, and respecting which William complained that by Robert's default the said Agnes distrained him that he should do suit at her court of Geyrstang from three weeks to three weeks.

Robert acknowledged and granted for himself and his heirs, that he would henceforth acquit and defend William and his heirs from suit of court against Agnes and her heirs. For this acknowledgment William remitted to Robert all losses which he said he had sustained by reason of his default.

No. 148.—At Lancaster, on the Octave of Holy Trinity, 40 Henry III. [18th June, 1256].

Between Beatrice, formerly the wife of William de Hylton, plaintiff, and David de Hylton,¹ tenant of one third part of a carucate of land in **Blakeburn**, one third part of an oxgang in

¹ This is a very important concord, in which we have details of the estates held by the then representative of the Hulton family, David de Hulton. According to the Survey of 1212, "Yerferth de Hulton holds four [read twelve] oxgangs of land in Pennelton of the King in chief, by the service of the sixth part of one knight." (*Testa*, ii., f. 825.) The carucate of land in Heaton-under-Horwich was included with Worthington, in the half fee which Thomas de Worthington held of Robert Grelley in 1212. (*Ibid.*, f. 822.) In 1302, this half fee had been split up, Richard de Hulton contributing 4s. to the Aid levied that year, viz., for one-tenth fee in Heaton. (*Exchequer L.T.R., Foreign Accounts*, Roll No. 1.) No doubt, Heaton came to the Hulton family by an early infeudation. The estate in Hulton actually consisted of six oxgangs of land, lying in Higher Worsley, Over Hulton and Little Hulton, and in the year 1212, was held under Gilbert de Notton and Edith de Barton, his wife, as parcel of their fee in Barton and Worsley. (Cf., No. 3, *antea*, p. 41.) The carucate of land in Blackburn, being a moiety of that town, had descended to Agnes, and Beatrice, daughters and co-heirs of Adam, son of Richard de Blackburn, lord of a moiety of the town, and patron and clerk of a moiety of the Church of Blackburn. (See Whitaker's *History of Whalley*, ii., pp. 309-311.) Agnes married David de Hulton, and Beatrice married William, brother of David. At this date (1256), William de Hulton was recently dead, his widow accordingly sued the heir at law for a recognition of her dower. The agreement was made by way of fine before the Justices at Lancaster, for greater security. The following addition to the pedigree of Hulton may be here noted. The elder brother of David and William was Richard de Hulton, who was under age at Michaelmas, 1230, and in ward to the Earl of Chester. His father, Richard, was then recently dead. This appears from the record of a suit in the Curia Regis at Westminster, on the Octave of St. Michael, 14-15 Henry III. [1230], in which Robert de Hulton was summoned to reply to the King by what warrant he made assart in the common

Hylton, and one third part of half a carucate in **Heton**; and between the said Beatrice, plaintiff, and the said David, whom Robert de fferrars called to warrant, and who warranted to him the third part of one carucate of land, and half a carucate of land in **Pennelton**; and between the said Beatrice, plaintiff, and the said David, whom David, son of Augerel, called to warrant, and who warranted to him the third part of one oxgang of land in **Hilton**, which third part Beatrice claims to be her reasonable dower which belongs to her of the free tenement which belonged to William, formerly her husband.

David de Hilton granted the said carucate in Blakeburne to Beatrice, wheresoever it lay in that town, to hold of David all her life in the name of dower, performing to the chief lords of the fee, for David, all services belonging to the land which shall remain to her by this fine. After her decease the said land in Blakeburne to revert to David and his heirs. For this concession Beatrice quit-claimed to David all her right by reason of dower in the residue of the lands and tenements which were formerly her husband's. For this quit-claim he gave her five marks of silver.

[*Endorsed*]. "Pedes Cyrographorum de Comitatu Lancastriæ de Itinere Rogeri de Thurkelby anno XLº."

wood (*boscum*) belonging to the Manors of Chelford, Ordeshale and Burton, to the hurt of the King's forest of West-dereby. Robert came and said that he held that assarted land by the gift of Richard de Hilton, his brother, by charter which testified thereto. Whereupon he called to warrant *Richard, son and heir of the said Richard*, who was under age, and in ward of the Earl of Chester, whose attorneys acknowledged that Richard was under age. *Ideo sine die.* (*Curia Regis Roll*, No. 107, m. 29 dorso.) At the date of the Feodary of 1242, Richard was still under age, but before 1246, he was dead, and his brother had succeeded to the family estates.

It appears that Pendleton and part of Hulton had been granted by David or his predecessors to Robert de Ferrers, and David, son of Augerel, respectively. This Robert was son and heir of William Ferrers, Earl of Derby. Five years later, i.e. in 1261, he gave in frankalmoign to God and the blessed martyr, St. Thomas, and to the Church by Stafford, "my manor of Sweneshurst and of the Walneys by Saltford, with the appurtenances, together with the mill upon Yrewell, and the site, mill-pool, mill-stream, and suit to the said mill, and the town of Pendilton, with all the villeins holding the villeinage of that town, with all their chattels and sequel." (*Chartulary of the Priory of St. Thomas, near Staford, Phillips MSS.*, 7899. Vide *Staffordshire Historical Collections*, vol. viii., p. 179.) Swineshurst and Walneys were part of the Earl of Derby's demesne of Salford, but the names have probably long since disappeared.

No. 149.—At Lancaster, on the Octave of Holy Trinity, 40 Henry III. [18th June, 1256].

Between Robert de Stocport, plaintiff, and John de Lee, concerning this, that John was summoned to show by what right he claimed common in Robert's land in **Plumpton**, seeing that Robert has no common in John's land, nor does John do service to him whereby he may have common in his land.

Robert granted that John and his heirs should henceforth have common of pasture for all manner of his beasts with free entry and egress on Bartayl moor, belonging to the town of Plumpton, according to the following bounds and metes, to wit, from Salleywyke moss along the Blakelache to the turbary of Englishe-le, so going round the north side of this turbary towards Plumpton by a straight line into Stocsiche; saving to Robert and his heirs liberty to make improvements at their will on this moor. For this concession John granted for himself and his heirs that he would henceforth render yearly to Robert and his heirs one pair of white gloves at Easter. Moreover, John quit-claimed to Robert and his heirs all right to claim any common of pasture in Robert's land in that town, except for his own beasts.

No. 150.—At Lancaster, on the Quindene of Holy Trinity, 40 Henry III. [25th June, 1256].

Between Richard, son of William de Baldreston, plaintiff, and Thomas de Osebaldreston, concerning this, that Thomas should acquit Richard of the service which Eadmund de Lazy claimed from him, for the free tenement which he holds of Thomas in **Baldreston**, to wit, two oxgangs of land, whereof Thomas, as mesne tenant between them, ought to acquit him, and respecting which Richard complained that by Thomas' default Eadmund distrained him, that he should do suit to his Court of Clyderhow from three weeks to three weeks.

Thomas acknowledged the land to be the right of Richard, to hold of Thomas and his heirs in perpetuity, rendering yearly, one pair of spurs at the feast of St. Giles, and forinsec service belonging to that land, 2s. and one sor sparrow hawk, at the same term for all service, suit of court and custom. With warranty. For this acknowledgment Richard remitted all losses which he said he had sustained by reason of that default.

No. 151.—At Lancaster, on the Quindene of Holy Trinity, 40 Henry III. [25th June, 1256].

Between Richard le Botyler, plaintiff, and John de la Mare, impediēt of the moiety of one carucate of land in **Little Hol**, respecting which a plea of warranty of charter had been summoned between them.

Richard acknowledged the land to be the right of John. For this acknowledgment he granted the land to Richard, to hold to him and his heirs, rendering yearly half a mark at the feast of St. Martin, and the service belonging to the chief lords of the fee.

No. 152.—At Lancaster on the Octave of Holy Trinity, 40 Henry III. [18th June, 1256].

Between Alan de Turs, plaintiff, and Alan de Steynton, concerning this, that Alan de Steynton was summoned to show by what right he claimed common in Alan's land in **Lowyk**, seeing that Alan [de Tours] had no common in Alan de Steynton's land, nor does he do service to him, whereby he may have common in his land.

Alan de Turs granted, so far as it pertained to him and his heirs, that Alan de Steynton and his heirs, and his men of Steynton [*parish of Urswick*] should henceforth have common of pasture for all manner of beasts everywhere (*ubique*) in the common pastures of that town, and reasonable estovers to "husbote and haybote" in Alan de Tur's woods, and all their pigs in the said woods free from pannage at the time of mast fall there (*pessona*). For this concession Alan de Steynton granted that he and his heirs would henceforth render yearly to Alan de Turs 12d. at the two terms, to wit, one half at the feast of St. Michael and the other at Easter, and further he granted, so far as pertained to himself and his heirs, that Alan de Turs and his heirs and his men of Lowyk should henceforth have common of pasture for all manner of beasts, everywhere in the pasture belonging to Steynton and fformethweyt. Alan de Steynton also granted that all his tenants in Steynton and fformethweyt, to wit, those who hold their tenements at will of the said Alan, so long as they hold them, and likewise those who should hold them thereafter, should grind their corn, arising from their tenements, at Alan de Turs' mill at Lowyk to the sixteenth measure (*ad sextum decimum vas*) and should give the said Alan for the pigs, which they might agist in Lowyk woods, every tenth pig, or the tenth penny of the value thereof.

No. 153.—At Lancaster, on the Octave of Holy Trinity, 40 Henry III. [18th June 1256].

Between Robert Banastre, plaintiff, and Thomas de Aston, Henry son of Richard, and Richard his brother, Richard son of Adam de Aston, and Syward his brother, John son of Leysing, and Robert his brother, whom Robert de Banastre claimed to be his runaway villeins (*nativos*).

Robert acknowledged that they were freemen,¹ and granted that they, with all their chattels and sequel, should be free and quit of all manner of nativity and secular servitude. For this remission they gave him twelve marks of silver.

No. 154.—At Lancaster, on the Quindene of Holy Trinity, 40 Henry III. [25th June, 1256].

Between Alan de Wyndel, and Roger de Molyneus and Agnes his wife, plaintiffs, and Robert de Eccleston, concerning this, that Robert should acquit them of the service which Eadmund de Lascy claimed from them, for the free tenement which they held of Robert in **Reynhull**² [*Rainhill*], to wit, two

¹ Manumission by Robert Banastre, baron of Newton, of seven villeins belonging to his demesne of Newton in Makerfield.

² According to the Survey of 1212, "William, son of Matthew, holds [Eccleston, Rainhill and Sutton] by the service of one knight," of Roger, Constable of Chester, of the Barony of the Constable (*i.e.*, Widnes) within the Lyme. (*Testa*, ii, f. 818.) This appears to be the same person as William fitz Matthew de Deresburi, who held Daresbury and Over Walton, County of Chester, of the Barony of Halton, *temp.* Henry III., and was thus returned in the Feodary of 1242, "William de Derisbury holds one knight's fee in Sutton, Eccleston [and Rainhill] of the fee of the Earl of Lincoln's heir in Derbisire." (*Ibid.*, f. 786.) By charter, which passed during the Shrievalty of Sir Robert de Lathom (1249—1254), William de Derresbury granted to Robert, son of Roger de Ireland (*Hibernia*), with Beatrice, his daughter, in frank marriage, all his land of Sutton, to wit, the homage and service of William Samson, such as belongs to six carucates of land in the towns of Eccleston and Raynhull, and the service of Robert, son of John de Sutton, such as belongs to three carucates in the town of Sutton, and the homage and service of Matthew de Derresburi such as belongs to four oxgangs in the town of Sutton; to hold in fee and inheritance. (*Dodsworth's MSS.*, cxlii, f. 241b.) Robert and Beatrice had issue two daughters and co-heirs, Margery, who married Henry, son of Allan le Norreys of Formby, and Matilda, who married Gilbert le Norreys, brother of Henry. Gilbert and Matilda gave their interest in Eccleston to Henry and Margery, and died without issue. Henry Norreys thereupon succeeded to the whole estate which had been settled upon Beatrice de Deresbury, and was lord of Deresbury and Over-Walton in co. Chester, and of Sutton, Eccleston and

carucates of land, whereof Roger and Agnes hold one carucate, and Alan holds one carucate for term of his life by the courtesy of England, in that he maintained the children of Avice formerly his wife, of whose inheritance that carucate was; and whereof Robert as mesne tenant ought to acquit them; and respecting which they complained that by Robert's default the said Eadmund distrained them that they should find him a certain "Domesman"¹ at his Court of Wydnes.

Rainhill, co. Lancaster, in 1291, in right of his wife. Probably they had issue several sons, for in 1302, Gilbert Norreys rendered 40s. for the fee in Eccleston, etc., to the Aid levied that year; and he held Sutton of the Earl of Lincoln in 1311. William, his son, was returned as holding this fee in 1320. It would appear, however, that William died without issue soon after. Alan Norreys, another son of Henry and Margery, had a grant of Daresbury from his mother in the 7 Edward II. (1313-14), and held Eccleston in 1311 of the Earl of Lincoln. He married Mabel, daughter of Ralph de Merton, by whom he had issue Alan Norreys, who died seized of both Daresbury and Eccleston *cum membris* in the 25 Edward III. (1351), leaving an only daughter, Clemence, of tender years. In or about 1360, Sir John Danyers (or Danyel) of Daresbury, having compounded for her wardship, married her to his son, William Danyel, who became lord of Daresbury, Over-Walton, Sutton, Eccleston and Rainhill *jure uxoris*, and so died in the 8 Henry IV., holding directly of the Crown. In whose descendants this fee afterwards continued. (Cf., *Dodsworth's MSS.*, cxlii., ff. 239-245; Ormerod's *History of Cheshire*, i., pp. 472, 731-4.) The descent of Norreys of Speke from Norreys of Sutton, as given in the printed pedigrees, appears to have no foundation in fact. The printed pedigree of the latter family is hopelessly incorrect. It appears from the evidence of the Speke Deeds that the former family descended from Alan le Norreys, living *temp.* Henry III. and Edward I., when he held lands in Hale and Speke; whereas the descent of the latter family from Allan le Norreys of Formby is as above given.

Returning to the subject of this concord, it would appear that the two co-heiresses, Agnes and Avice, were the daughters of William Samson, mentioned in William Daresbury's charter already cited. Probably he died shortly before 1256, whence this concord. Robert Molyneux, the husband of Agnes, settled at Rainhill, and was the ancestor of the long line of Molyneux of that place. From the Molyneux family this moiety passed by marriage to the Lancasters, of which family Thomas Lancaster held, 16-23 Edward IV., one moiety of Rainhill of John Eccleston of Eccleston, by the service of 18d., and one-tenth fee, Eccleston holding of Thomas Daniel of Daresbury. The other moiety descended through the family of Windhull, or Windle, to Burnhull, or Brindle, and then by marriage to Gerard of Bryn, of which family Sir Thomas Gerard held the other moiety in 16-23 Edward IV., by the same service and in the same manner as Thomas Lancaster. (*Rental of Eccleston*).

¹ The mesne tenant of Eccleston owed one suit to the Court of Widnes, as suitor or doomsman, called *judex* in the Testa de Nevill. Of that Court,

Robert acknowledged that he and his heirs would acquit Alan, Roger and Agnes and the heirs of Avice and Agnes against the said Eadmund and his heirs, from finding the said "Domesman" at his Court. For this acknowledgment, they remitted to Robert all losses which they said they had sustained by reason of his default.

No. 155.—At Lancaster, on the Octave of Holy Trinity, 40 Henry III. [18th June, 1256].

Between William, son of Hugh and Emma, his wife, plaintiffs, and Adam, son of Hugh and Agnes his wife, deforciant of half an oxgang of land in **Rayneford**,¹ respecting which a plea of covenant had been summoned between them,

Adam and Agnes acknowledged the land, both in demesnes and homages, and in services, to be the right of Emma, as that which William and Emma have, by the gift of Adam and Agnes, to hold of Adam and Agnes and the heirs of Agnes rendering yearly one pair of white gloves at the feast of Saint John the Baptist, and performing forinsec service belonging thereto for all service. With warranty.

For this acknowledgment they granted to Adam and Agnes nine acres of land in Reyneford, which Waldeve de Bulling formerly held for a term of years of William, and a certain piece of land in **Bulling** [*Billinge*], called Crochurst, except two acres, which lie against Jori de Bulling's land towards the south, which shall remain to the said William and Emma and the heirs of Emma, to hold to the said Adam and Agnes of the said William and Emma for 6d. yearly at the said term, and performing to the chief lords of the fee the service thereunto belonging. With warranty.

No. 156.—At Lancaster, on the Quindene of Holy Trinity, 40 Henry III. [25th June, 1256].

Between Robert de Billesburgh and Leuca his wife, plaintiffs,

the seneschal was president, regulating the procedure and issuing mandates, but he had nothing to do with the judgments of the Court. "Making the judgments" was the function of the doomsmen. (*History of English Law*, i., p. 535.)

¹ The manor of Rainford was, at this time, held of the Earl of Derby by Sir Robert de Lathom, by fealty in socage without any other service. Under whom were a very large number of free tenants, holding small tenements. (*Assize Roll*, No. 404, m. 4.)

and Simon, son of Luke (Lūc) de Mamcestre, tenant of a messuage in **Mamcestre**; and between the said Robert and Leuca, plaintiffs, and Thomas, son of Roger, tenant of a messuage in Mamcestre; and between the said Robert and Leuca, plaintiffs, and Richard, son of Randle (Rañ), tenant of a messuage in the same town.

Robert and Leuca quit-claimed for themselves and the heirs of Leuca, to Simon, Thomas and Richard and their heirs, all their right in the land. For this release Simon, Thomas and Richard gave them two marks of silver.

No. 157.—At Lancaster, on the Octave of Holy Trinity, 40 Henry III. [18th June, 1256].

Between Henry de Seveton and Alice, his wife, plaintiffs, and Elyas de Smetheton, Prior of the Hospital of St. John of Jerusalem in England, tenant, by brother Philip de Colham, put in his place, of twenty acres of land in **Wrynton**. An assize of *mort d'ancestor* had been summoned between them.

Henry and Alice acknowledged the land to be the right of the Prior and brethren of the said Hospital. For this acknowledgment the Prior has received Henry and Alice into all the benefits and prayers hereafter to be made in the said Hospital.

No. 158.—At Lancaster, on the Quindene of Holy Trinity, 40 Henry III. [25th June, 1256].

Between Wymarc, daughter of Adam, plaintiff, and Walter de Karleton,¹ tenant, of two oxgangs of land in **Soureby**, and twenty acres of land in **Plumpton**. An assize of *mort d'ancestor* had been summoned between them.

Wymarc quit-claimed to Walter all his right in the land. For this quit-claim Walter gave Wymarc one messuage and four acres of land in Soureby, to wit, the messuage which Adam de Chaumpayne once held, and those four acres lying in a field called Northage feld, towards the north, to hold of Walter and his heirs, rendering yearly one pair of white gloves or one penny at the feast of St. Michael, and performing forinsec service. With warranty. For this grant Walter gave Wymarc 40s. sterling.

No. 159.—At Lancaster, on the Octave of Holy Trinity, 40 Henry III. [18th June 1256].

¹ Son and heir of Sir William de Carleton, Knt, mentioned in No. 147, *antea* (p. 120).

Between William le Botyler, plaintiff, and Gilbert de Halsal,¹ deforciant of the suit which William claimed of Gilbert to his Court of Werrington.

Gilbert acknowledged and granted for himself and his heirs that he would henceforth do suit at William's Court of Werrington from three weeks to three weeks. For this acknowledgment William remitted all right to claim from Gilbert or his heirs "Bode" and "Witnesse," or puture (*pulturam*) for any serjeant of William's, or of his heirs.

No. 160.—At Lancaster, on the Octave of Holy Trinity, 40 Henry III. [18th June, 1256].

Between Adam, Abbot of Kyrkestal, plaintiff, and Richard de Alvetham, concerning this, that Richard had been summoned to show by what right he claimed common in the said Abbot's land in Hunnecotes, seeing that the Abbot had no common in Richard's land, nor did Richard perform any service, whereby he ought to have common in the Abbot's land.

Richard acknowledged for himself and his heirs, so far as it belonged to them to do, that the said land was the severalty (*seperale*) of the said Abbot, and of his Church of Kyrkestal, and quit-claimed to him all right to claim any common of pasture, or other common right in the said land. For this acknowledgment the Abbot has received Richard and his heirs into all the benefits and prayers to be made hereafter in his Church of Kyrkestall.

[*Endorsed*]. "And Peter, parson of the Church of Whalley, puts in his claim to common in the said land, as by right of his chapel at Alvetham" [*Altham*].

No. 161.—At York, on the Quindene of Easter, 41 Henry III. [23rd April, 1257].

¹ Simon de Halsall was the father of Alan de Halsall, who in 1212 held one carucate in Halsall of Robert de Vilars, who was meane tenant under William le Boteler of Warrington. To Alan succeeded Simon II, son and heir, to whom Robert de Vilars released the service of 13s. yearly which he received from Simon and his ancestors for Halsall. (*Dodsworth's MSS.*, xxxix., f. 139b.) Richard de Halsall, son of Simon, had a grant of four oxgangs of land in Maghull from his father, *circa* 1250, and probably died young. Gilbert de Halsall, son of Richard, cannot have long succeeded his father in the year 1256. He married Diouisia, and died before the 34 Edward I. (*Ibid.*, ff. 138-143b, *passim*.) This concord respecting suit of Court undoubtedly refers to Halsall. The reference to it in Baines' *History of Lancashire*, ii., p. 420, is garbled.

Between Robert de Hampton and Mary his wife, plaintiffs, and William de Clifton,¹ tenant of one-third part of the manors of **Clifton, Westby and Plumton**, which third parts Robert and Margery claimed to be the reasonable dower of the said Margery, of which land Richard de Clifton, son and heir of the said William, and formerly the husband of the said Margery, by the assent and good will of William his father, dowered her at the church door when he married her.

Robert and Margery quit-claimed to William all right in the said manors and all other lands of the said William in the

¹ No account is given of the earliest known members of the Clifton family in the printed pedigrees, it is therefore necessary, in explanation of this concord, to supplement the existing information. Osbert de Clifton living *temp.* Henry II., was the father of Walter de Clifton, who in 1212 held ten carucates of land, viz., the townships of Clifton, Salwick, Great and Little Fieldplumpton, Westby and Barton, in thanage by the yearly service of three marks (*Testa*, ii., f. 820). He died in 1217, in which year William, his son, had livery of his father's estates (*Memoranda Roll*, No. 1, m. 2.). Sir William de Clifton, having £20 land was knighted *circa* 1250, and died a few days before the 29th March, 1258, the date of the writ of *diem clausit extremum*, which was tested by the King himself "at Marton." Henry de Clifton was found to be his son and heir, and had livery of his father's estates, 2nd May, 1258. From this concord, however, we learn that William had another son, Richard, the eldest, who had married Margery, the eldest of three daughters and co-heirs of Sir William de Samlesbury. With his father's consent, Richard had dowered the said Margery on the day of their marriage at the church door, of the third part of the family estates. But he pre-deceased his father, leaving no issue, and Margery re-married before 1257, Robert de Hampton. By this concord Sir William de Clifton agrees with his eldest son's widow that she should resign her right of dower in the Clifton estates in consideration of the sum of sixty marks.

The next concord (No. 162), records a demise of the manor or township of Brightmet to Avina, mother of the daughters and co-heirs of the said Sir William de Samlesbury for life, and a settlement of this estate, subject to this life interest, upon her three daughters. Avina had brought Brightmet to her husband in marriage, but it does not appear what her parentage was. In 1212, William de Notton, son of Gilbert de Notton, held this township of the heir of Ranulf de Marsey by the service of 8s. yearly (*Testa*, ii., f. 827). I suspect that it passed to Matthew de Notton, a younger son of William, and that Avina was his daughter and heir. But this lacks confirmation. In 1302 it had passed to Sir Robert de Holland and Sir John Deuias, the respective husbands of Elizabeth and Cecily, younger sisters of Margery, in strict accordance with the terms of this settlement, and was then held by military service for the one-eighth part of a knight's fee (*Foreign Accounts Roll*, No. 1).

name of Margery's dower. For this release William gave Robert and Margery sixty marks of silver.

No. 162.—At York, on the morrow of All Souls, 42 Henry III. [3rd November, 1257].

Between Avina de Samelesbyri, plaintiff, and Robert de Hampton and Margery his wife, tenants of a mill and eight oxgangs of land, except twelve acres in **Brihtmede**.

Avina acknowledged the mill and land to be the right of [Margery *mutilated*]. For this acknowledgment Robert and Margery granted the said mill and land to Avina, to hold for the term of her life, of the said Robert and Margery, rendering yearly half a mark of silver at the feast of St. Michael, and performing to the chief lords of the fee all services belonging to that land. After the decease of Avina, the mill and land shall remain to Robert and Margery, Cecilia and Elyzabeth, younger sisters of Margery, as heirs of the said Avina, to be equally divided between them, so that one-third part of the mill and land shall remain to Robert and Margery, and two parts to Cecilia and Elyzabeth, to hold to them and their heirs of the said Robert and Margery for ever.

No. 163.—At Westminster, on the morrow of All Souls, 44 Henry III. [3rd November, 1259].

Between Madoc de Acton,¹ plaintiff, and Walter de Lyndeseye, tenant of one rood of land in **Quitanton** [*Whittington in Lonsdale*].

Madoc quit-claimed to Walter all his right in the land. Moreover Madoc remitted and quit-claimed to Walter and his heirs all his right in three oxgangs of land in the said town,

¹ At Westminster, in Michaelmas Term, 42-3 Henry III., 1258, Maddoc de Acton appeared against William Sturnell in a plea of one rood of land with appurtenances in Qytinton, which he claimed as his right. William did not appear. *Judgment*—the said land to be taken into the King's hands, and William summoned to appear on the Quindene of St. Hilary (*C. R. Roll*, No. 160, m. 137). On the Quindene of St. Martin, Walter de Lyndesey put in his place Philip de Muleswirth *versus* Maddok le Wallis in a plea of land (*Ibid.*, m. 58). On the Quindene of St. Hilary, 1259, Maddok de Akgtou [*Aughton*] put in an appearance, but William again made default. The Court considered that Maddok should recover his seisin against him. At the same time Maddok de Akgtou appeared against Walter de Lyndesey in a plea of five oxgangs of land, except one rood, in Quintynton. Walter made default and the laad was ordered to be taken into the King's hands (*Ibid.*, No. 161, m. 21d). Shortly after, concord was made as above.

which Madoc formerly claimed at law against Walter. For this remission and quit-claim Walter gave Madoc five marks of silver.

No. 164.—At Dereby, on the Quindene of Easter, 43 Henry III. [27th April, 1259].

Between Roger de Qualley,¹ plaintiff, and Henry, son of Margery and Margaret his wife, impedients of one oxgang of land, and eight solidates of yearly rent in **Little Mitton**, respecting which a plea of warranty of charter had been summoned between them.

Henry and Margaret acknowledged the land to be the right of Roger, as that which he has by their gift, to hold of them and the heirs of Margaret, rendering yearly one half-penny at the feast of the Assumption of the B. V. M. for all service, and performing to the chief lords of the fee the service belonging to that land. With warranty. For this acknowledgment he gave them twenty marks of silver.

No. 165.—At Westminster, in three weeks from Easter, 44 Henry III. [25th April, 1260].

Between Robert de Vylers, plaintiff, and Robert, Abbot of Myrival, whom Master Adam de Wauton² called to warrant, and who warranted to him—by Brother William de Vavere, his monk, put in the place of the Abbot—three carucates of land in **Much Hole**.³

Robert quit-claimed to the Abbot and his successors, and to the church of Myrival all his right in that land. For this release the Abbot granted the land to Adam, to hold of the Abbot and his successors, rendering yearly one penny at Easter for all service. With warranty. Afterwards the Abbot and Adam gave Robert 100 marks of silver.

No. 166.—At Westminster, on the morrow of All Souls Day, 45 Henry III. [3rd November, 1260].

Between John de Byrun, plaintiff, and Alexander Luterel and

¹ See Whitaker's *History of Whalley*, ii., p. 21.

² See *Cockersand Chartulary*, pp. 448 n. and 494 n.

³ The Abbey of Merevale appears to have acquired land in Great Hoole between 1232 and 1237. (Cf. p. 113, n). In Hilary Term, 1238, Robert, Abbot of Merevale was pledged to appear on the Octave of Easter in a suit respecting dower instituted by Mary, widow of Robert de Vilers. (*C.R. Roll*, No. 118, m. 2).

begotten, rendering one pound of candlemas at St. John the Baptist for all services, and performing the services of the fee the service belonging to that land. If Geoffrey died without issue the land to wit by Matthew and his heirs, to be held of the chief lords of the service belonging thereto.

—At Lancaster, on the Quindene of the Purification of Virgin, 46 Henry III. [16th February, 1262].

the Abbot of Cokersand, plaintiff, and Robert, son of Gynnerley and Avice his wife, impediens of two acres of land, and one acre of meadow in **Stalmyn**, in which a plea of warranty of charter had been summoned.

And Avice acknowledged the land to be the right of the church of St. Mary of Cokersand, as that which was given by gift, to hold of them in free and perpetual service. With warranty. For this gift the Abbot was admitted into the benefits and prayers henceforth to be made for Cokersand.

—At Lancaster, on the Quindene of the Purification of Virgin, 46 Henry III. [16th February, 1262].

Roger, son of Adam de Preston, plaintiff, and John and Alice his wife, impediens of one acre of land in **Preston**, respecting which a plea of warranty had been summoned between them.

Alice acknowledged the land to be the right of the church of which he has by their gift, to hold of them in free and perpetual service by one penny at the feast of the Michaelmas, performing to the chief lords of the fee the service belonging thereto. With warranty. For this gift the Abbot was admitted into the benefits and prayers henceforth to be made for seven marks of silver.

—At Lancaster, on the Quindene of the Purification of Virgin, 46 Henry III. [16th February, 1262].

John de Byran, plaintiff, and Christina his wife, impediens of one acre of land in **Preston**, respecting which a plea of warranty had been summoned between them.

Between Matthew de Reddyche, plaintiff, and Robert de Reddich, tenant of the moiety of the manor of **Reddich**, except twenty-four acres of land there.

Robert acknowledged the land to be the right of Matthew and rendered it to him. For this acknowledgment Matthew granted to Robert the moiety of the said moiety of that tenement, to hold of Matthew and his heirs, rendering yearly 20d., to wit, at the feast of St. John the Baptist, 6d. ob., at the feast of St. Michael 4d. and 2 ob., at the Nativity of our Lord, 4d. ob. and at the feast of the Blessed Virgin Mary in March 4d. ob. for all service, and performing to the chief lords of the fee the service belonging to that land. With warranty.

No. 168.—At Lancaster, on the Octave of the Purification of the Blessed Virgin, 46 Henry III. [9th February, 1262].

Between Matthew de Rediche,¹ plaintiff, and Geoffrey de Byrun, tenant of the moiety of the manor of **Rediche**, except twenty-four acres.

Geoffrey acknowledged the land to be the right of Matthew, and rendered it to him. For this acknowledgment Matthew granted the said tenement to Geoffrey to hold to him and the heirs

Edmund, Earl of Lancaster, until the Earl's death, rendered account in the 12 Edward I. of "£863 8s. 5d. of the amercements of men, townships and wapentakes, to the names of which, the letter t is put in the Roll of that Eyre, which they (the Justices), delivered to the Treasury. In the Treasury *nil*. And to Edmund, King Henry's brother, to whom that King granted all fines and amercements, as also all the issues of the Eyre of the said Justices, £863 8s. 5d. of those issues, by writ of King Henry. And he (the Sheriff) is quit." (*Pipe Roll*, No. 128, 12 Edward I., m. 26).

¹ According to the Survey of 1212, "Roger, son of William, holds one carucate of land in Reddish, in thanage by 6s. [yearly service.] Matthew de Reddish holds that land of the said Roger by the same service." (*Testa* ii., f. 826). Probably the Matthew of this concord was a son of the Matthew living in 1212. Geoffrey de Byron had lands in Barton and Monton. At the date of this concord he was proceeding in the Curia Regis against divers persons for trespass in his lands. (*O.R. Rolls*, Nos. 162 and 171). He was son of Geoffrey de Byron, and probably cousin of John de Byron named in No. 166 (p. 132.) It appears probable that Matthew de Reddish had not long succeeded to the Manor of Reddish, and had instituted a suit before the Justices at Lancaster upon a writ of *mort d'ancestor* against Robert de Reddish and Geoffrey de Byron who held the manor between them, to obtain from them a recognition of his right of inheritance. Hence these concords. Geoffrey's service was only a pound of cumin or 2d. Perhaps the twenty-four acres represented Matthew's demesne.

of his body begotten, rendering one pound of coin at the feast of St. John the Baptist for all services, and performing to the chief lords of the fee the service belonging to the land. With warranty. If Geoffrey died without issue the land to wholly remain to Matthew and his heirs, to be held of the chief lords of the fee by the service belonging thereto.

No. 169.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between the Abbot of Cockersand, plaintiff, and Robert, son of Gregory de Wynnemerley and Avice his wife, impediens of two tofts, six acres of land, and one acre of meadow in **Stalmyn**,¹ respecting which a plea of warranty of charter had been summoned between them.

Robert and Avice acknowledged the land to be the right of the Abbot, and of his church of St. Mary of Cockersand, as that which he had by their gift, to hold of them in free and perpetual tenure, quit of all secular service. With warranty. For this gift the Abbot has received them into the benefits and prayers hereafter to be made in the church of Cockersand.

No. 170.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between Roger, son of Adam de Preston, plaintiff, and John de Baldreston and Alice his wife, impediens of one toft and two acres of meadow in **Preston**, respecting which a plea of warranty of charter had been summoned between them.

John and Alice acknowledged the land to be the right of Roger, as that which he has by their gift, to hold of them, rendering yearly one penny at the feast of the Assumption for all service, and performing to the chief lords of the fee the service thereto belonging. With warranty. For this acknowledgment Roger gave them seven marks of silver.

No. 171.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between John de Byrun, plaintiff, and Andrew de Butterworthe and Christiana his wife, impediens of sixty acres of land

¹ See *Cockersand Chartulary*. — 110.

in **Butterworthe**,¹ respecting which a plea of warranty of charter had been summoned between them.

Andrew and Christiana acknowledged the land to be the right of John, and rendered it to him. For this acknowledgment John gave them twenty pounds of silver.

No. 172.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between Richard le Botyler, plaintiff, and Alan de Wolvemoore and Alice his wife, deforciantes of thirty acres of land and forty acres of wood in **Wrythinton**, respecting which a plea of covenant had been summoned between them.

Alan and Alice acknowledged the land and wood to be the right of Richard, as that which he has by the gift of Alan and Alice, to hold of them, rendering yearly one rose at the Nativity of St. John the Baptist for all service, and performing to the chief lords of the fee the service thereto belonging. With warranty. For this acknowledgment, Richard gave them eleven marks of silver.

No. 173.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between Adam, son of Thomas de Fauerswayt, plaintiff, and Roger, son of Adam de Ritthou and Alice his wife, deforciantes of one oxgang of land in **Lec** [*Leck*], respecting which a plea of covenant had been summoned between them.

Roger and Alice acknowledged the tenement to be the right of Adam, as that which he has by their gift, to hold of them, rendering yearly one penny at Easter for all service, and performing to the chief lords of the fee the service thereto belonging. With warranty. For this acknowledgment Adam gave them five marks.

No. 174.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between John de Shyreburne, plaintiff, and William, son of

¹ Baldwin le Tyas acquired a considerable estate in the parish of Rochdale by his marriage with Margery, daughter of Hugh de Eland, and widow of Gilbert de Notton. This estate, lying in Butterworth, Clegg, Gartside, Ogden or Okeden, Hollingworth and Haugh, was bestowed by Baldwin upon Robert de Holland (*not* of Up-Holland) in frank marriage with his daughter, Joan la Tyase (*Dodsworth MSS.* lxiii., f. 53). After the death of Robert, without issue, Joan married John de Byron, conveying those estates into that family (*Ibid.*).

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from the Veu Viver directly westward to Bradelaysyke, from Bradelaysyke down to Rammescloucke, and so from Rammescloucke down to Lude, following Lude to the place where Bradelaybroke falls into Lude, with all the land within these bounds. For this concession and quit-claim Ralph gave Robert one sor sparrow-hawk.

[*Endorsed*]. Adam de Byry puts in his claim. *Item* Gilbert Barry puts in his claim for the Prior of St. John of Jerusalem in England. John de Knol puts in his claim.¹

No. 177.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between John le Peddere and Godith his wife, plaintiffs, and Henry de la funtayne, tenant of one toft in Kellet.

John and Godith acknowledged the land to be right of Henry and quit-claimed it to him. For this acknowledgment Henry gave them one mark of silver.

No. 178.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between John de Wolfal and Cecily his wife, plaintiffs, and Thurstan de Holand, tenant of 400 acres of land in Hale.² An assize of *mort d'ancestor* had been arraigned between them.

¹ Cf. No. 116, *antea* p. 102.

² Hale was originally part of the demesne of the Crown in Lancashire, *temp.* Henry II., Richard I., and John. The latter sovereign by charter dated at Rouen, 9th November, 1203, gave it to Richard de Meath, a clerk of the Exchequer, son of Gilbert de Walton, the Serjeant of the Wapentake of West Derby, to hold by the ancient ferm of £4 10s., and an increment of 50s. (*Charter Roll*, 5 John m. 18.) After some vicissitudes of possession, Richard de Meath obtained from Henry III., by charter dated 19th July, 1227, a confirmation of the former grant. (*Charter Roll*, No. 19, m. 7.) At the same time the King confirmed to the said Richard, the grant from King John of two carucates of land in Formby, formerly royal demesne, to hold by the ancient ferm of 28s. and an increment of 6s. 8d., and the grant (by *Inspeimus*), from the said Richard to his brother Henry, in these words:—

“Sciant presentes et futuri quod ego Ricardus de Mida, filius Gilberti de Waleton, tradidi et concessi Henrico de Waleton, fratri meo, totam terram Meam de Waleton et de Forneby cum omnibus pertinentiis suis, ad se sustinendum tota vita sua; Ita quod si me supervixerit, ipse et hæredes sui post eum habeant et teneant predictas terras de Waleton, et de Forneby cum omnibus pertinentiis suis de domino Rege et hæredibus suis sicut et hæredes mei. Concessi etiam eidem Henrico et hæredibus suis post decessum totam terram meam de Hales cum omnibus pertinentiis suis, habendam et tenendam sibi et hæredibus suis

John and Cecily acknowledged the tenement to be the right

de domino Rege et hæredibus suis, sicut eam tenui per seruicium quod ego domino Regi feci. Hiis testibus—Willelmo Blundel, Willelmo de Wigorn' clerico, Adam de Mulin[aus], Ada filio Roberti, Roberto de Mulin[aus] Hugone Norrensi, Ricardo de Erleston, et aliis." (*Ibid.*, m. 6).

Shortly afterwards, Richard de Meath granted Hale to Cecily de Columbers, and to her children by him begotten, and to their heirs, to hold of him for life, and after his decease, of Henry de Waleton, his brother and his heirs, who are his (the grantor's) heirs, with remainders after the death of Cecily to (1) Richard, her eldest son in fee, (2) to Geoffrey, second son, (3) to Adam, third son, (4) to Henry, fourth son, (5) to Edusa, and (6) to Cecily, daughters, to hold in fee of Henry de Waleton and his heirs, rendering yearly at Michaelmas, £7 sterling to the King and his successors, and 12d. or 1 lb. of pepper to the said Henry and his heirs. The date of this grant lies before November, 1233, when Sir William le Boteler, one of the witnesses, was dead.

These grants appear to have been complicated by a grant from Henry III. to Nicholas de la Huse, for his good services, of a chief rent of 60s. issuing out of the vill of Walton, and another chief rent of £7 issuing out of Hale, to hold in fee; which chief rents the said Nicholas conveyed to Thurstan de Holand. (*Hale Deeds*.) Another version, however, of the feoffment to de Holand, appears in a complaint of the tenants of Hale, probably of a date *circa* 20 Edward I., to the effect that when Henry de Hale (fourth son of Richard de Meath) was dying, one Thurstan de Holand, who had married his daughter, as the said Henry lay at the point of death, his memory lost, took the seal which he had around his neck, and made use thereof to issue charters granting the Manor of Hale to himself, the said Thurstan, and to Robert his son, who thereupon entered into possession to the injury of those who held by the charters of King John and King Henry. (*Ibid.*) As Henry de Hale died without issue, the former version appears to record the true conveyance of the manor to the Holand family. The subsequent disputes which arose respecting the title of the heirs of Richard de Meath to lands in Hale, point to Thurstan de Holand and his heirs as mesne tenants of Hale, and therefore over-lords of the heirs of Richard de Meath. Another question also appears to be raised. Were the children of Cecily de Columbers by Richard de Meath legitimate? In the settlement above recited Richard does not describe Cecily as his wife, but he refers to his brother's heirs as being his own heirs. However this may be, it appears from the evidence of the Hale Deeds that all the sons of Richard de Meath died without issue, their title descending to their sisters, Cecily, wife of John de Wolfall (cf. No. 68, *antea*, p. 78), and Edusa, wife of one Austyn living in Ireland, to whose son Adam Austyn de Ireland and to his heirs by his wife Avina, daughter of Sir Robert de Holand (son and heir of Thurstan above-named), the Manor of Hale afterwards descended, *temp.* Edward I. (*Hale Deeds*).

It appears that Cecily de Columbers died shortly before the year 1260, whereupon William, son and heir of Henry de Waleton (brother of Richard de Meath) endeavoured to wrest the manor from his cousin, Henry de Hale,

of Thurstan, and quit-claimed it to him. For this release Thurstan granted to John and Cecily five score acres of the said tenement, whereof twenty-one acres lie in the marsh, thirteen acres in the culture called Adam riding, eight acres at the top of the said culture, towards the east, and fifty-eight acres between Adam de Cestre's land and Bokegate, to hold of Thurstan and his heirs, rendering yearly one penny at the feast of the Assumption, for all services. With warranty. If John and Cecily should die without issue between them, the land to revert to Thurstan and his heirs. Moreover Thurstan granted to John and Cecily reasonable estovers in Thurstan's wood of Hale, to wit as much as should suffice for building, burning and making enclosures in that town, without allowance (*libratione*) of Thurstan's foresters, and to have their pigs in the said wood free from pannage.

[*Endorsed*]. And Richard de Walton puts in his claim.

No. 179.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between Henry, son of John de Lee, plaintiff, and the

as appears by the following extract from the *Plea Rolls*:—"On the Quindene of St. Michael, 1260, in the King's Court at Westminster, William, son of Henry de Waleton sued Henry, son of Richard de Meath for the manor of Hales with appurtenances, which Cecily de Columbers held of him, and which ought to revert to him as his escheat by reason that Cecily died without heir. Henry did not appear. The manor to be taken into the King's hands. Henry to be summoned to appear on the Quindene of St. Martin (*Curia Regis Roll*, No. 169, m. 11 *dorso*). On which day Henry came and prayed for a view. A day was given them in five weeks from Easter (*Ibid.*, m. 61), when Henry, son of Tircy (*sic*) de Meath defended his right, and pleaded that it was not possible for him to reply to the writ, because he did not hold the whole manor; that one Herbert, parson of the church of Childeworth (*read* Childwall) holds one messuage and three and a half acres and the site of a chapel, which are of the appurtenances of that manor. This William could not deny, and he prayed for licence to withdraw from his writ, and he has it (*Ibid.*, No. 171, m. 32 *dorso*). Apparently both parties to this suit died before the end of the year 1261, and John de Wolfall and Cecily, his wife, succeeded to the title held by Henry de Hale, brother of Cecily. Thurstan de Holand, however, asserting his right as *mesne tenant*, John and Cecily took action against him upon a writ of *mort d'ancestor* before the Justices in Eyre at Lancaster, with the result that the above Concord was concluded between them. It will be noticed that Richard de Walton—who was probably son and heir of William de Walton, plaintiff in the suit recorded in the *Plea Roll*—"puts in his claim."

Abbot of Cokersand, tenant of the manor of **fforton**, except forty acres of land.¹

Henry acknowledged the tenement to be the right of the Abbot, and of the church of St. Mary of Cokersand, and rendered it to him. For this acknowledgment the Abbot gave him 40s. of silver. Moreover, the Abbot granted to Henry all that tenement which he held of the fee of the said Henry in the town of **Lee**, on the day of the making of this concord, and yielded it to him, to hold of the Abbot and his successors, rendering yearly 10s. to wit, one moiety at Easter, and the other at the feast of St. Michael for all service, and the Abbot has received Henry into all the benefits and prayers henceforth to be made in the said church.

No. 180.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February 1262].

Between Augnes de Crokhirst, plaintiff, and Richard de Wofmor and Cecily his wife, impedients of half an oxgang of land in **Raynesford**, respecting which a plea of warranty of charter had been summoned between them.

Richard and Cecily acknowledged the tenement to be the right of Augnes, as that which she has by their gift, to hold to her and her heirs of Richard and Cecily, rendering yearly one rose at the Nativity of St. John the Baptist for all service, and performing to the chief lords of the fee the service thereto belonging. With warranty. For this acknowledgment Augnes gave them eight marks of silver.

No. 181.—At Lancaster, on the Quindene of the Purification of the Blessed Virgin, 46 Henry III. [16th February, 1262].

Between Hugh, son of Richard de Stapelford, plaintiff, and William de Shingelton, whom Alan de Shingelton called to warrant, and who warranted to him the tenancy (*tenentem*) of the moiety of one carucate of land, except thirty acres of land, in **Broucton** [*Broughton, par. of Preston*].² And between the said

¹ See *Cockersand Chartulary*, p. 364.

² Broughton was given by William, Count of Boulogne and Mortain, and Earl of Warren (between 1153—1160), to Ughtred, son of Huck, to hold by the service of 8s. (*Dodsworth MSS.* cxlix., f. 49). It descended to Richard, son of the said Ughtred, who was put out of seisin by Theobald Walter. King John afterwards seized it, upon the death of Theobald, and in the Survey of 1212, it is described as being in the King's hands (*Testa*, ii., f. 822). Afterwards the King gave it to William le Sauser, but it was restored to

Hugh, plaintiff, and the said William, whom Thomas de Shingelton called to warrant, and who warranted to him the tenancy of thirty acres of land in that town.

Hugh acknowledged the tenement to be the right of William, and rendered it to him. For this acknowledgment William gave him twelve marks of silver.

DIVERS COUNTIES.

SUSSEX, KENT AND LANCASTER.

No. 11.—At Westminster, . . . after Easter, 4 Henry III. [after 29th March, 1220], before Henry de Burgh, Chief Justice of England, and others.

Between Alice, formerly the wife of Geoffrey de Gestling, plaintiff, by Fulk de Echingham put in her place, and John Gestling,¹ tenant of the third part of two-thirds of all the lands with the appurtenances, which the said John (*sic*) held in **Gestling**, and in **Ydenne** [*Iden*], and in **West-Winchelese**, and in **Hamest** . . . in co. Sussex; and in the town of **Hallo** [*Halling*], in co. Kent; and in the towns of **Wistelesheued** [], and **Lickeberege**, in co. Lancaster [*Lickbarrow*], which portion the said Alice claims against John as her dower, by the gift of [Geof]frey her husband.

[The remainder of the chirograph is torn, but there is a mention of Barbote, wife of the said John Gestling, and of Juliana his mother].

Alan de Singleton, son of Richard, by Henry III., and was in the hands of Alan's son and heir, William de Singleton, on the 22nd March, 1261, when it was found by inquisition that the manor ought not to be tallaged (*Escaeta*, 45 Hen. III., No. 37). He was the father of Alan de Singleton, and probably of Thomas, both named in this concord. Hugh de Stapleford, son of Richard, belonged to a good Nottinghamshire family, but it does not appear in what way he was connected with the Singletons of Broughton.

¹ John de Gestling was a justiciar *temp.* John. On the 4th November, 1217, the Sheriff of Lancaster had letters from the King to put him in seisin of lands, presumably in co. Lancaster, of which he had been disseised during the disturbances of the last years of John's reign (*Close Roll*, 2 Hen. III. m. 16). The two places said to be in co. Lancaster have not been identified.

WESTMERILAND—LANCASTRE.

No. 92.—At Westminster, in a month after Easter, 16 Henry III., [9th May, 1232.]

Between Robert de Kyme,¹ plaintiff, and William de Lancastre, deforciant of fifteen librates of rent in **Vlueston** [*Ulverston*], respecting which Robert complained, that whereas William is bound to him to pay yearly the said fifteen pounds at the two terms of the year, until he shall have appointed to him fifteen librates of land in fee and inheritance, he has withheld from him the rent for six years, and is in arrears four score and ten pounds sterling.

William acknowledged and granted for himself and his heirs, that he will render yearly fifteen pounds to Robert, or to his messenger, bearing his letters patent, in the Abbey of Furness, by the view of the Abbot of that place, or his successors, or by view of the monks of that place, yearly at the two terms, during the life of Robert, to wit, one moiety at the feast of St. Michael, and the other at Easter; and he further granted that he and his heirs will render to Robert fifty pounds sterling for the said arrears in which he was bound to Robert, to wit one hundred shillings at the feast of St. Michael next coming, and

¹ In the *Curia Regis*, on the Octave of Holy Trinity, 1231, William de Lancastre was attached to answer Robert de Kyme in the suit, of which details are given in this concord. William states in his defence, that three years previous to the commencement of the suit he had assigned to Robert fifteen librates of land in Killington, to wit, 300 acres of land, and had been wishful to give him a charter of that land, but Robert would not accept it, nor would he render up the charter which he held, but the land was given to him by metes and bounds, and he was in seisin, so that he held himself satisfied with that land for fifteen librates of land; and he produced two witnesses, of whom one stated nothing, and the other nothing adequate. Robert in reply stated that no land had been assigned to him, nor had he ever held himself satisfied with other land, nor does William's attorney show anything, or that he had been satisfied even to two and half marks. And because William's attorney acknowledges the charter (promising Robert fifteen librates of land), and showed nothing that the land had been assigned to Robert, except his simple word, the Court considered that Robert should recover his arrears, amounting to £88 6s. 8d, and the damages which he claimed, viz., forty marks. The Sheriff was ordered to levy those sums from William's land and chattels, and to have the money by the Quindene of St. Michael (*Curia Regis Roll*, No. 109, m. 16). Subsequently the parties concorded as above.

the same at Easter, and so yearly ten pounds until fully paid. In default of payment as above said, it shall be lawful to the Abbot or his successors to distrain William or his heirs upon their lands, and upon their chattels found within the liberty of the Abbot of Furness, until full payment be completed. After the death of Robert, the said William and his heirs shall be quit from the said payment. If Robert or his heirs hereafter produce any charter against William or his heirs respecting these fifteen librates of rent in Vlueston, it shall be altogether of no effect.

LINCOLN—LANCASTRE.

No. 104.—At Westminster, in five weeks from Easter, 17 Henry III. [8th May, 1233].

Between Olive, formerly the wife of Roger de Mont Begon, plaintiff, by Richard Flambard put in her place, and Henry de Munedene, tenant of the third parts of the manors of **Tunnec** [*Thonock*], and **Thorp**,¹ with the appurtenances in county Lincoln,

¹ The following record of a suit heard at the Lincoln Assizes, in the 29 Henry III., 1244-5, has been introduced here, as containing much interesting matter relating to Hornby Castle, and the family of Montbegon.

Hugh de Ros sues Henry de Munegheden, for the fourth part of two-thirds of the Manors of Thorp and Tunheyk, as his right and inheritance, and states that Roger de Montbegon, was in seisin, in his demesne, as of fee and right in the time of King Henry, the grandfather of the present King, from whom the right to that land descended to Adam, as son and heir, and from Adam to Roger de Mount Begon, who was in seisin of that land, in his demesne, as of fee, in the time of King Henry, that now is, taking the issues thereof to the value, &c. And whereas the said Roger died without heir of his body, the right of that land reverted to the three sisters of the said Adam, viz: to Beatrice, Matilda and Agnes. From Beatrice the title of that land descended to William de Ros, as son and heir, and from him to his two daughters, Margery and Juliana. From Margery, to William de Ros, as son and heir, and from him to the plaintiff Hugh, who now sues as son and heir. From Juliana, the title to the said land descended to Adam de Tyd, as son and heir, and from him to Roger de Tyd, who is named in the writ, but does not sue. From the said Matilda the title to that land descended to Roger, as son and heir, and from him to William, as son and heir, and from him to Thomas de Scotenhy, who is named in the writ, but does not sue. From Agnes, the title to that land descended to Robert, as son and heir, and from him to Henry, as son and heir, but because the said Henry died without heir of his body, the title descended to Robert, as son and heir (of Robert), and from him to Henry (de Munegheden who now

and of the third part of the manor of Totington with the

holds the said land, as son and heir; and that such is his title, the said Hugh offers to put himself upon a Jury.

Henry appears and defends his title, etc., and says that he ought not to reply to him, for that when Roger de Montbegon, son of Adam died, the King seized the whole of the land into his own hands, and thereupon came William de Ros, father of the said Hugh, Thomas de Scoteny, and others, and declared themselves to be the said Roger's heirs (*fecerunt se heredes*). Whereupon an Inquest was taken by the King's command, before M. de Pateshull [to determine] who might be the said Roger's next heir; and the said William and Thomas, and the others, put themselves upon that Inquest, which declared that the said Adam had only one sister, Agnes by name, from whom descended the said Henry, and that it was thereupon considered [by the Inquest], that Henry was next heir, and that the others could claim no title to the said land; and upon this he calls to warrant the Roll of the tenth year [of King Henry III].

And Hugh pleads that the said Inquest ought not to prejudice him, when he is pursuing his title, because that Inquest was made by the King to inquire to whom that land ought to be committed (*debut committi*), and because his father William was not impleaded for the said land, nor impleaded anyone, nor was ever summoned by any writ; and he prays for a verdict.

Afterwards, the Roll of the Eyre of M. de Pateshull was examined, for a certain Jury chosen by the consent of the suitors before M. de Pateshull and his associates, at Lincoln, in the tenth year of this reign [A.D. 1225-6], by the following jurymen (*recognitiones*), viz.: Robert Bussel, Richard de Thorington, William de Tounstal, John de Cincefeld (Cantsfield), Adam de Wenington, Richard de Wraton, William de Tatham, Alexander de Pilkington, Henry de Brodeshagh, Roger Gernet of Burgh, Alan de Pennington, William de Millum, Gilbert de Kellet and John Gernet; and by the following from county Lincoln, viz.: William, son of Engelram, son of Simon, Roger de St. Martin, Herbert de Nevill, Gilbert de Tours (*Turribus*), and Ralph de Barkewin, to make recognition who is the next heir of Roger de Montbegon, and who by nearness of kinship ought by right and custom of the kingdom to obtain the inheritance lately belonging to the said Roger, whereof William de Ros, Adam de Tid and Thomas de Scoteny declare themselves to be the heirs, by reason that Roger de Montbegon, the grandfather of the said Roger, had one son named Adam, father of the said Roger, the younger, who lately died, and three daughters, viz.: Beatrice, Agnes and Emma, from whom descended the said William de Ros, Adam and Thomas, as they aver; and whereof Henry de Munegheden, declares himself to be heir, because he is the heir of the said Roger, in that the said Roger, the grandfather, had only one son and one daughter, to wit, the said Adam and the said Agnes, from whom he descends; and whereof John de Mikeham, Robert de Talewrth and Robert de Hamesden declare themselves to be the heirs of the said Roger, and that the said Roger, the grandfather, had one son, as is aforesaid, and three daughters, viz.: Matilda, Beatrice and Emma, from whom the said

appurtenances in county Lancastre, which third parts Olive claimed to be her dower, which belonged to her of the free tenements formerly belonging to her husband in those towns.

Henry granted to Olive the whole manor of Totington with the appurtenances in all things, and one hundred solidates of land with appurtenances in Tunnec of his demesne, to wit, twenty bovates of land, of which each bovate contains twelve acres of arable land, and two acres of meadow, measured by the perch of eighteen feet; and for a messuage, the three tofts formerly belonging to Gilbert de Tunnec, Roger Fresel, and Roger Kidere in Tunnec, also common of pasture for all manner of beasts, which she may have in the said manor, with free entry and egress, excepting the park of Tunnec, and husbote and haybote in the said Henry's wood of Tunnec without waste, and by view of Henry's forester, whoever be forester there for the time being. If the forester should absent himself, then Olive shall not be let by reason of his absence, but shall peaceably take her estover to husbote and haybote in that wood without causing destruction or waste; to hold

John, Robert and Robert descended as they aver; and whereof John de Cume (Kime) declares himself to be the heir of the said Roger, because he descended from Matilda, sole daughter of the aforesaid Roger, the elder; and whereof Adam de Beri (Bury) declares himself to be the heir of the said Roger, because the said Adam, father of the said Roger last deceased, had one daughter called Alice, from whom he descended, as he avers; and to make recognition if the said Roger who lately deceased, in the year and on the day of his death, was in seisin of the Castle of Horneby, and if he took the issues of the lands of Horneby and Melling, appurtenant to that castle, down to the day of his death, or no.

The recognitors declare the said Henry to be the next heir of Roger, and to have a better title to the inheritance which belonged to the said Roger, by reason that Adam had only one sister called Agnes, from whom the said Henry descended. It is therefore considered that the others are unable to claim any title during the lifetime of the said Henry.

Concerning the Castle and lands of Horneby and Melling, they declare that Roger was not in seisin on the day of his death, because more than a year previous, he gave that Castle and those lands to John de Lungvilers, who thereafter remained in seisin of the Castle and lands by that grant down to the day of the death of the said Roger, and tilled the land, taking the corn, and rents and issues, as from his own land, so that when the King sent the Justices into those parts to assess the fifteenth (in A.D. 1225), the said John gave a fifteenth of the corn and chattels, as of his own goods.

It is therefore considered that Henry shall go *sine die*, and Hugh de Ros be in *misericordia*, by surety of Eudo le Fraunceys of Thyd, and Simon son of Beta de Sutton (*Assize Roll*, No. 482, m. 17.).

all her life in the name of dower. For this grant Olive released to Henry her right in the remainder of the lands and tenements of Roger, her late husband. Saving nevertheless to Olive all the land which she previously held with appurtenances in the name of dower in **Horneby**, which was of the inheritance of her said husband. And be it known that Henry has granted that when Olive shall depart this life, she shall give and bequeath all her chattels, and the corn sown in the said lands, without gainsay or let of Henry or his heirs.

LANCASTRE—LINCOLN.

No. 121.—At Wilton, on Monday next after the feast of St. Hilary, 20 Henry III. [14th January, 1236].

Between Olive, formerly the wife of Roger de Montbegon, plaintiff, by Robert Luvecok put in her place, and Henry de Monedene, whom Hubert de Burgh, Earl of Kent, called to warrant, and who warranted to him, respecting the third part of the Manor of **Horneby**¹ with the appurtenances, by John de Stokes put in his place, which third part Olive claimed to be the reasonable dower belonging to her of the free tenement which belonged to Roger, formerly her husband, in that town.

Olive released to Henry and Hurbert and their heirs her right in the third part of the said manor in the name of dower. For this release Henry granted to Olive eight and a half marks, to be taken yearly at Tunneyc all her life in the name of dower, by the hand of Henry, his heirs, or his bailiffs, to wit one moiety at Pentecost, and the other at Christmas. Henry further granted that if at any time default should be made in payment thereof, Olive should have eight and a half markates of land in his Manor of Tunneyc, by a reasonable extent; to hold all her life in the name of dower. After her death Henry and his heirs shall be quit of the payment aforesaid.

YORK—LANCASTER.

No. 173.—At Lancaster, on the Octave of St. Martin, 26 Henry III. [18th November, 1241].

Between Sarah, daughter of Robert de Staunton, plaintiff, and

¹ See the note to the preceding concord.

William de Tunstall,¹ tenant of five oxgangs of land with appurtenances in **Cauncefeud** [*Cantsfield*]; and between the said Sarah, plaintiff, and the said William, tenant of six oxgangs of land in **Oustewyk** [*Austwick*].

¹ William de Tunstall, and Thomas his son occur in a concord of 1202 (No. 16, p. 14). Thomas married Matilda, one of the daughters of Akarias de Austwick (No. 54, p. 31), and had a son William (No. 15, p. 48), who is the tenant of the land referred to in this concord. The following entries in the *Assize Roll* of 1246, relate to this family:—

(a) William (1), son of Thomas de Tunstall was summoned to answer William (3), son of William (2) de Tunstall in a plea to hold the agreement made between Thomas, father of William (1), whose heir he is, and William, father of William (3), whose heir he is, respecting two oxgangs of land in Tunstall, whereby Thomas gave William (2) the service of Roger his brother, from two oxgangs of land which Roger held of him in Tunstall (cf. No. 15, p. 48); so that if Roger died without issue, the land should revert to William (3), quit of Thomas and his heirs, to hold in demesne, of Thomas and his heirs for ever.

William stated that William his father died seised of Roger's service, but because William, his father, died before Roger, who died without issue, the land ought to revert to him (3) as son and heir of William (2); and that the agreement has not been observed, whereby he has suffered loss to the amount of 40s., and he proffered in evidence the chirograph made between them.

William, son of Thomas, appeared and stated that William (2) was never in seisin either of the land held in demesne, or of the service. But afterwards they concorded, and William (1) gave 20s. for licence to concord, by the pledge of William (3), and they shall have a chirograph. (*Assize Roll*, No. 404, m. 6 verso).

(b) William de Tunstall (1) sued William (3) for seven perches of land in Tunstall, in which the latter has no entry except by William (2) his father, to whom Thomas, father of William (1), whose heir he is, demised the land for a term, which has passed. A day is given them at the coming of the justices. (*Ibid.*, m. 13.)

(c) Adam, son of Nicholas, sued William (3) for one oxgang of land in Tunstall, in which William has no entry except by William de Tunstall (2), to whom Nicholas, father of the said Adam, whose heir he is, demised the land for a term, which has passed. Adam stated that the demise was for the life of William (2) only.

William (3) appeared and prayed for a view. A day was given them on Thursday next before the feast of St. Martin, at Appelby, for the strengthening of the court. (*Ibid.*, m. 14.)

(d) Joan, formerly the wife of Roger de Tunstall, by her attorney, sued William de Tunstall (1) for the third part of two oxgangs of land in Tunstall, as her dower. William appeared and said that she ought not to have dower thereof, because Roger did not hold the land in his demesne, when he married her, nor at any time subsequently.

William acknowledged the land to be the right of Sarah. For this acknowledgment she granted to him the land in Oustewyk, and two oxgangs of the land in Cauncefeud, which Agnes, formerly the wife of Richard de Goldeburg held in dower ; to hold to William and his heirs, of Sarah and her heirs in perpetuity, rendering yearly for the six oxgangs one pound of pepper at the feast of St. Michael, and performing the forinsec service belonging thereto ; and for the two oxgangs one pound of cumin at the Nativity of our Lord, for all service.

YORK—LANCASTER.

No. 205.—At Westminster, on the morrow of the Purification of the Blessed Virgin, 30 Henry III. [3rd February, 1246].

Between William de Pinnington, plaintiff, and Richard de Pynnington, tenant, of the moiety of the Manor of **Hertesheued**, county of York, which moiety William claimed as his reasonable share of the free tenement which belonged to Hugh de Radecliue, father of Richard and William, whose heirs they are; and between the said William, plaintiff, and the said Richard, tenant, of the moiety of the Manor of **Pinington** [*Pennington, parish of Leigh*], county of Lancaster, which William claimed as his reasonable share of the free tenement which belonged to Margery, formerly the wife of the said Hugh, and mother of the said Richard and William, whose heirs they are.

William acknowledged the moieties of the said manors to be the right of Richard. For this acknowledgment, Richard granted to William one messuage and forty acres of arable land, to wit, that messuage with the appurtenances and meadow which William, son of Ormer, once held, and thirty acres of land lying near the said messuage, extending towards the wood of the Nuns of Kyrkelegh and Mirefelde Wude, and ten acres lying in the culture called Bromiflat. Moreover Richard granted to William common of pasture for all his beasts in all parts of the woods and pastures

The jury say that Roger, before he espoused Joan, released all his right in that land to the said William, by chirograph levied before Martin de Pateshull and his associates, Justices in Eyre in this county, but William permitted Roger to hold the land of him all his life, and after his decease it reverted to William and his heirs. William is discharged, and Joan in mercy for a false claim. She is poor. (*Ibid.*, m. 15.)

of the said manor of Hertesheued, and in all the arable lands and meadows in the said manor, after the corn has been carried away and the hay lifted; to hold to William and his heirs, of Richard and his heirs in perpetuity, rendering yearly 6d. at the feast of St. Oswald, and performing forinsec service belonging to so much land, for all service, suit of court, custom and demand. The remainder of the said manors shall remain to Richard and his heirs, quit of William and his heirs for ever.

WESTMORLAND—LANCASTER.

No. 214.—At Warwik, on the Quindene of Easter 31 Henry III. [14th April, 1247].

Between Henry, Abbot of Cokersand, plaintiff, by brother Richard de Singleton, put in his place, and William, son of Henry de Wraton, respecting this, that William should acquit the Abbot of the service which William de Lankastre and Ralph de Eyncurt claimed from the said Abbot, of the free tenement which the said William, son of Henry, holds of the said William in **Whynnefel** [*Whinfell, par. Kendal*], of which the said William, who is mesne between them, ought to acquit him, respecting which he complained that he had been distrained by reason of this default.

The Abbot granted, for himself and his successors, that henceforth he will perform to the chief lords of the fee the services which belong to the said tenement, so that William and his heirs shall not be bound to acquit the Abbot and his successors of any service or suit belonging to the tenement. For this concession William granted to the Abbot and his church aforesaid, nine acres of land in Wenynnton, co. Lancaster, to wit, four acres in the culture called Cobbanarghe, and two acres in Dalslakland and in Gayle, and three acres in "Longe of Thorolf-lond"; to hold to the Abbot and his successors and church, of William and his heirs in pure and perpetual alms for ever.

LANCASTER—NOTTINGHAM.

No. 288.—At Westminster, on the Quindene of Easter, 37 Henry III. [4th May, 1253].

Between Amiria, formerly the wife of Robert de Hylton, plaintiff, and Jordán de Hylton, tenant of the third part of seven oxgangs and

fifteen acres of land in **Flixton**, of one messuage and one and one-half oxgang of land in **Halughton** [*West-houghton*], thirty-five acres of land in **Farinworth** [*Farnworth*], twenty-four acres of land in **Dumplinton**, four acres of land in **Kokeney**, in the county of Lancaster, and fifty acres of land in **Kingeswode**, in the county of Nottingham, which third parts Amiria claimed to be her reasonable dower of the free tenement which was Robert de Hylton's, formerly her husband.

Amiria acknowledged the tenements to be the right of Jordan. For this acknowledgment Jordan granted the said third parts to Amiria to hold of him and his heirs, rendering yearly for the tenements in Flixton 3s., at the feast of St. Michael, for all service, and performing for the tenements in Halughton, Faringworth, Dumplinton, Kokeney, and Kingeswode, the services thereto belonging, with reversion after her decease to Jordan and his heirs in perpetuity.

Y O R K .

4 JOHN.

No. 15.—At York, on Friday next after the feast of St. Katherine, the Virgin, 4 John [29th November, 1202].

Between Henry de Cleiton, plaintiff, and Uhtred de Chirche, tenant of half a carucate of land with appurtenances in **Chirche** [*Church*], respecting which a jury of Grand Assize had been summoned between them.

Henry released his right in the land to Uhtred and his heirs. For this release Uhtred gave Henry two marks of silver.¹

No. 147.—At York, on Saturday in the feast of St. Clement, 4 John [23rd November, 1202].

Between Henry de Lancastre, plaintiff, and William, Prior of Lancastre, tenant of two oxgangs of land with appurtenances in

¹ This concord has been printed in the Surtees Society's Volume of Yorkshire *Final Concords* (vol. 94, p. 71), together with the following note. "Church . . . in Lancashire. As part of the Lacy fee (it was) sometimes reckoned in Yorkshire. In the Selby Chartulary (No. cccix), Uhtred de Chirche is said to be father of William, then clerk of Brayton, near Selby; and one Hufred of Chirche tests No. 240 of the Pontefract Chartulary, a deed concerning lands in Magna Harwood, near Rochdale (*sic*). Another witness to that document is a Jordan of Cleytun, doubtless the same Cleiton as that to which this plaintiff belonged.—R.H." Cf. Whitaker's *History of Whalley*, vol. ii, p. 293.

Newton,¹ respecting which an assize of *mort d'ancestor* had been summoned between them.

Henry released from himself and his heirs to the Prior and his successors his right in that land. For this release the Prior gave him three marks of silver.

LANCASTER.

EDWARD I.

No. 1.—At Westminster, on the Octave of St. John the Baptist, 2 Edward I. [1st July, 1274].

Between William de la Mare, plaintiff, and Henry de Lacy, Earl of Lincoln, tenant, by William de Knottyngelegh put in his place, of the Manor of **Totyngton**, except one messuage, forty acres of land, one hundred acres of wood, and one hundred acres of pasture.

William acknowledged the Manor, except as aforesaid, to be the right of the Earl, and quit-claimed it to him and his heirs in perpetuity. For this quit-claim the Earl granted to William the manor of **Langeton** in Leylaundeschyre, to hold to him and his heirs, of the Earl and his heirs for ever, rendering yearly 50s. at the feasts of St. Martin and Pentecost, for all service, saving "Bode and Wytnesman" in the manor of Langeton.

No. 2.—At Shrewsbury, on the Morrow of St. Martin, 5 Edward I. [12th November, 1277].

Between Alexander le Mey, junior, plaintiff, and Alexander le Mey, senior, and Agnes, his wife, deforciant of one messuage and two parts of an oxgang of land, in **Barton**.²

Alexander and Agnes acknowledged the tenement to be the right of Alexander, junior, as that which he had by their gift, to hold of them and the heirs of Agnes, in perpetuity, rendering yearly one penny at the feast of the Nativity of St. John the Baptist, and performing, for them, the services due to the chief lords of the fee. For this acknowledgment he gave them one sor sparrow-hawk.

[*Endorsed*].—And John de Bromhirst puts in his claim.

No. 3.—At Westminster, on the Quindene of Easter, 5 Edward I. [11th April, 1277].

¹ Probably Newton, a hamlet of Bulk, near Lancaster. See *Register of Lancaster Priory*, p. 495. Warin de Lancaster, the Falconer, father of Henry de Lea, here called "de Lancaster," died before 1189.

² Barton-upon-Irwell, parish of Eccles.

Between Gilbert, Abbot of Kyrkestalle, plaintiff, and William de Alvetham,¹ deforciant of one messuage and one carucate of land in **Acrinton**.

William acknowledged the tenement, to wit, that which the Abbot had in the said town, of the inheritance of the said William, to be the right of the Abbot and his Church of Kyrkestall, and quit-claimed it to him and his successors for ever. For this release the Abbot gave him eighty marks of silver.

No. 4.—At Shrewsbury, on the Quindene of St. Martin, 6 Edward I. [25th November, 1277].

Between Adam de la Croyz, plaintiff, by Eudo de Beauchamp, put in his place, and William, son of William de Preston, and Alianore, his wife, impediens of one messuage and fourteen acres of land in **Wygan**, respecting which a plea of warranty of charter had been summoned between them.

William and Alianore acknowledged the tenement to be the right of Adam, to hold of them and the heirs of Alianore, in perpetuity, rendering yearly one penny at the feast of All Saints, for all services, except those due to the chief lords of the fee. For this acknowledgment, he gave them twenty-five marks of silver.

No. 5.—At Westminster, on the Octave of St. Hilary, 6 Edward I. [20th January, 1278].

Between Geoffrey de Chadreton, plaintiff, and William de la Hackyng² and Christiana, his wife, impediens of the moiety of

¹ See Whitaker's *History of Whalley*, s. t. Accrington, vol. ii, p. 285.

² This and the succeeding concord relate to the appointment of dower to Christiana, wife of William de la Hackyng, and apparently widow of Richard de Trafford, by her two sons or step-sons, Henry de Trafford and Geoffrey de Chadderton. We may accordingly expect to find a fairly complete statement of the estates which Richard de Trafford during his lifetime had divided between his two sons. The elder, Henry, received Trafford, and estates in the townships of Stretford, Chorlton and Withington. The younger, Geoffrey, received estates in Cheetham, Crompton, Sholver, Coventre (?), Manchester, Ashton-under-Lyne, Chorlton, Withington, Middleton, Wolstenholme, and Butterworth.

An early reference to Trafford occurs in a schedule of the ferm of Salford Hundred, of which some entries belong to the time of Henry II. and Richard I., the rest to the time of John. "De firma terræ Roberti filii Radulphi de Traford in Traford v.s." (*Pipe Roll*, 10 Henry III.) This Robert died shortly before 1205, in which year "Henry de Traford gives 40s. for his relief of half a carucate of land

the manors of **Chetham** and **Cromton**, thirteen acres of land, thirteen acres of wood, sixty acres of pasture, one oxgang of land, the moiety of one messuage, and 68s. 3d. rent, in **Sholver**, **Coventre**, **Mamecestre**, **Aston**, **Cherleton**, **Wydington**, **Middelton**, **Wlstanesholme**, and **Botreworth**.

William and Christiana acknowledged the tenements to be the right of Geoffrey, as those which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fees, by the services thereto belonging. For this acknowledgment Geoffrey agreed to pay yearly to the said William and Christiana, during her life, nine marks, 2s. 8d., one moiety at the Feast of St. Martin in Winter, and the other moiety at Pentecost. After Christiana's death Geoffrey and his heirs to be acquitted of the said payment.

No. 6.—At Westminster, on the Octave of St. Hilary, 6 Edward I. [20th January, 1278].

Between Henry de Trafford,¹ plaintiff, and William de Hackyng and Christiana, his wife, impedients of seven messuages, eight oxgangs of land, two acres of meadow, and 10s. rent, in

with appurtenances in Trafford." (*Pipe Roll*, 8 John, m. 7). In the Survey of 1212, Henry de Trafford appears as holding four oxgangs of land [in Trafford] in chief of the King in thanage by the yearly service of 5s. (*Testa* ii., f. 827). Henry died in 1221, and on the 3rd November, the same year, "Richard, son of Henry de Trafford, made fine by 20s. for his relief of land which was his father's, whose heir he is, which Richard ought to hold of us," i.e., of the King in chief. (*Fine Roll*, 6 Henry III., m. 9).

Hamon de Massy, of Dunham Massy, held Stretford in 1212 by serjeanty. Henry de Stretford, who may possibly be the same person as Henry de Trafford, held two oxgangs of Hamon for 4s. yearly service. (*Testa* ii., f. 827). Afterwards, i.e., circa 1250, Hamon de Massy IV. gave the whole town of Stretford to his daughter Maud, who, afterwards, as the widow of Roger Pain of Ashburn, released Stretford to Henry de Trafford. (*Trafford Muniments*). In the year 1284, Henry de Trafford had a charter of free warren in his Manors of Trafford and Stretford. (*Charter Roll*, 12 Edward I., No. 24).

In the year 1212, Henry de Trafford held five oxgangs of land in Chorlton of Gospatrick de Chorlton by the yearly service of 6s. 3d. (*Testa* ii., f. 827). His great-grandson, Sir Henry de Trafford, Knt., held this estate in 1320, together with certain tenements in Ancoats.

The other estates, which were held in 1278 by Geoffrey de Chadderton, appear to have been acquired by Richard de Trafford in marriage with an heiress of the house of Cheetham. This, however, requires confirmation.

¹ See note to No. 5.

Stretford, Cherlton, and Wythinton, which William and Christiana formerly held, as of the dower of Christiana, of the inheritance of the said Henry.

They acknowledged the tenements to be the right of Henry, and quit-claimed the same to him and his heirs in perpetuity. For this release he gave them one sor sparrow-hawk.

No. 7.—At Westminster, on the Quindene of St. John the Baptist, 6 Edward I. [8th July, 1278].

Between John, son of John de Halthon, and Cecily his wife, plaintiffs, and William de Sale, and Cecily, his wife, impedients of one messuage, and half an oxgang of land in **Holyenworth**,¹ respecting which a plea of warranty of charter had been summoned between them.

William and Cecily acknowledged the tenement to be the right of Cecily, wife of John, as that which John and Cecily had by their gift, to hold to them and the heirs of Cecily, rendering yearly to William and Cecily, and the heirs of Cecily, in perpetuity, 13d. at the feast of St. Martin in Winter, for all service; with remainder to William and Cecily and the heirs of Cecily.

No. 8.—At Westminster, on the Octave of St. Martin, 6 Edward I. [18th November, 1278].

Between Adam de Ryston, plaintiff, and Gilbert de Ryston, deforciant, of the Manor of **Ryston** [*Rishton*].²

Gilbert acknowledged the Manor to be the right of Adam. For this acknowledgment Adam granted it to him, except eighty

¹ Hollingworth, a hamlet of Butterworth, parish of Rochdale. John de Halthon, i.e., Halton, or West Houghton is usually described as John de Rylands. Several interesting documents relating to this family, and the estate in Hollingworth, will be found in the *Appendix*.

² According to the *Plea Rolls*, the Manor of Rishton was given in the 30 Henry III., 1245-6, by Robert de Praers to Gilbert, son of Henry de Blackburn, in frank marriage with his sister Margaret, "by name of the whole town of Rustone being two carucates." (*History of Whalley*, vol. ii., p. 405; and *De Banco Roll*, 6-7 Edward III., m. 265). The date 1245-6 must be wrong, however, for the Feodary of 1242, says "Gilbert, son of Henry, holds the tenth part of a knight in Ruston of the said [Earl of Lincoln's] fee, and it belongs to the dower of the Countess." (*Testa* ii., f. 789). Gilbert and Margaret had issue a son Henry, who had issue Gilbert, the defendant in the above concord. Probably Adam, the plaintiff, was an elder brother of Gilbert, the younger.

acres of land therein called Gundeclyf [*Cunliffe*], and Sydebiht, to hold for life, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee. After the decease of Gilbert the manor to revert to Adam and his heirs. And be it known that Gilbert shall not make any waste, sale, destruction or alienation of the houses, underwoods, hays or gardens belonging to that manor.

[*Endorsed*].—And Henry de Lacy, Earl of Lincoln, puts in his claim.

No. 9.—At York, on the Octave of St. Michael, 7 Edward I. [6th October, 1279].

Between William, son of William de Kellet, plaintiff, and John de Tatham, tenant of the manors of Tatham and Ireby.

William acknowledged the manors to be the right of John, and quit-claimed them to him and his heirs in perpetuity. For this release John, at the instance of William, granted to William, son of Geoffrey de Wytingham, the manor of Heygham,¹ to hold of John and his heirs for ever, rendering yearly 2s., to wit, one moiety at the feast of St. Martin, and the other at Pentecost.

No. 10.—At Westminster, on the Morrow of all Souls, 7 Edward I. [3rd November, 1279].

Between Robert de Prees, plaintiff, and William, Prior of Kertmel, tenant, by William de Oxclyve, put in his place, of the manor of Kertmel, except one hundred and one acres of land; and between the said Robert, plaintiff, and Robert le Waleys, tenant, by the said William, of sixty acres of land in the said manor; and between the said Robert de Prees, plaintiff, and Robert de Aykesheued, tenant, by the said William, of eleven acres of land in the said manor; and between the said Robert de Prees, plaintiff, and Thomas de Wynder, tenant, by the said William, of thirty acres of land in the said manor.

Robert de Prees quit-claimed to the Prior and his successors, and to his church of Kertmel, and to Robert le Waleys, Robert de Aykesheued, and Thomas, all his right and claim in the said tenements. For this release the Prior gave him eighty marks of silver.

No. 11.—At Westminster, on the Quindene of St. Martin, 8 Edward I. [25th November, 1279].

¹ Higham. This place has not been identified.

Between the Lord the King, plaintiff, and Theobald le Butyler, deforciant of the advowson of the Church of **Kyrkeham**.

Theobald acknowledged the advowson to be the right of the Lord the King, and quit-claimed it to him and his heirs in perpetuity. For this release the King gave him one sor goshawk.

No. 12.—At Westminster, on the Octave of St. Michael, 8 Edward I. [6th October, 1280].

Between Robert de Wylers, plaintiff, and Gilbert de Haleshale, tenant of two parts of the manor of **Haleshale**;¹ and between the said Robert, plaintiff, and the said Gilbert, whom Hugh de Worthington and Dyonis, his wife, called to warrant, and who warranted to them the third part of the manor.

Robert acknowledged the manor to be the right of Gilbert, and quit-claimed it to him and his heirs in perpetuity. For this release Gilbert gave him ten marks of silver.

No. 13.—At Westminster, on the Morrow of St. Martin, 8 Edward I. [12th November, 1280].

Between Henry de Trafford, plaintiff, by Ranulph de la More put in his place, and Hugh le Mee and Alice, his wife, impediens of nine acres of land in **Clyfton**, respecting which a plea of warranty of charter had been summoned between them.

Hugh and Alice acknowledged the land to be the right of Henry, as that which he had by their gift, to hold to him and his heirs, of them and the heirs of Alice, in perpetuity, rendering yearly at Easter, one clove gillyflower, and performing for them the services due to the chief lords of the fee. For this acknowledgment Henry gave them eight marks of silver.

No. 14.—At Shrewsbury, on the Octave of St. Hilary, 10 Edward I. [20th January, 1282].

Between Richard, son of Hugh de Gulden, plaintiff, and Adam, son of Hugh de Guldene, and Eve, his wife, deforciants of one messuage, one oxgang of land, and the eighth part of a mill, with the appurtenances, except two acres of land in **Baunford**.²

Adam and Eve acknowledged the tenement to be the right of Richard, as that which he had by their gift, to hold to him and his heirs, of them and the heirs of Eve, in perpetuity,

¹ Cf. note to No. 159, *temp.* Henry III., p. 129.

² Bamford, parish of Bury.

rendering yearly 12d. at the feast of St. Oswald. For this acknowledgment he gave them six marks of silver.

No. 15.—At Shrewsbury, on the Quindene of St. Michael, 10 Edward I. [15th October, 1282].

Between Henry de Clifton and Margery, his wife, plaintiffs, by Warin de Neusum, put in their place, and Aline, formerly the wife of Richard de Cauncefeld, tenant, by William Wade, put in her place, of the moiety of the manor of **Thirnum**,¹ respecting which an assize of *mort d'ancestor* had been summoned between them.

Henry and Margery acknowledged the moiety of the manor to be the right of Aline, and quit-claimed it to her and her heirs, in perpetuity. For this release she gave them forty pounds sterling.

No. 16.—At Shrewsbury, on the Octave of St. Martin, 10 Edward I. [18th November, 1282].

Between Adam le Serjaunt of Hoton, plaintiff, and Richard le Tayllur and Alice, his wife, impedients of a messuage in **Preston** in Ammundrenesse, respecting which a plea of warranty of charter had been summoned between them.

Richard and Alice acknowledged the messuage to be the right of Adam, as that which he had by their gift, to hold of them and the heirs of Alice, in perpetuity, rendering yearly one penny at Pentecost, and performing the services due to the chief lords of the fee. For this acknowledgment he gave them ten marks of silver.

No. 17.—At Shrewsbury, on the Morrow of St. Martin, 10 Edward I. [12th November, 1282].

Between Baldewin, son of Madoc de Acton, plaintiff, and Madoc de Acton, deforciant, of a messuage and twenty acres of land in **Acton**² [*Aughton*].

¹ Thurnham, near Lancaster. Cf. note to No. 133, temp. Henry III., p. 113. The sister and heir of Robert le Fleming is here called "Aline," instead of Alice. Thurnham was her estate in her own right; but this concord suggests that Margery, wife of Henry de Clifton (note, p. 130), was her sister. The said Margery received £40 sterling to relinquish her right in favour of her sister's child, John de Cantsfield.

² Cf. note to No. 44, temp. Henry III., pp. 64-5. Madoc de Acton, deforciant in this concord, appears to have been brother of Guy, son of Madoc, who was killed in Wales in the earlier part of the year 1282. Madoc, son of Madoc, son of Blethin, gave to his elder brother, Ayuon, all his patrimony in the vill of Acton. Witnesses—Madoc de Acton, Symon de Bykerstat, Adam de Ryxton, Richard de Gynnebroke, Richard de la Wodefal and Colyn Blundell. (*Ince Charters*).

Madoc acknowledged the tenement to be the right of Baldwin, as that which he had by the gift of Madoc, to hold during Madoc's life, rendering yearly 10s. at the Nativity of our Lord. After Madoc's death, Baldwin and his heirs shall be acquitted of the said payment and hold the tenement of the chief lords of the fee, by the services thereto belonging.

No. 18.—At Shrewsbury, on the Morrow of St. Martin,
10 Edward I. [12th November, 1282].

Between John le Waleys, plaintiff, by Randle de la More, put in his place, and Robert, son of Roger Aghton, deforciant of a messuage and eleven acres of land in **Aghton** [*Aughton*].

Robert acknowledged the tenement to be the right of John, as that which he had by the gift of Robert. For this acknowledgment John granted it to him for life, rendering yearly one penny, at the feast of St. Michael, with remainder to John and his heirs, to hold of the chief lords of the fee, by the services thereto belonging.

No. 19.—At Shrewsbury, on the Morrow of St. Martin,
10 Edward I. [12th November, 1282].

Between Simon, son of Simon de Bykerstath, plaintiff, and Simon de Bikerstath, deforciant of a messuage and six score acres of land in **Aghton** [*Aughton*].

Simon acknowledged the tenement to be the right of Simon, son of Simon, as that which he had by his gift to hold during Simon's life, rendering yearly thirty shillings sterling at the Nativity of our Lord, and after Simon's decease to be acquitted thereof, and to hold the tenement of the chief lords of the fee, by the services thereto belonging.

No. 20.—At Shrewsbury, on the Quindene of St. Michael,
10 Edward I. [13th October, 1282].

Between Robert de Brunynton, plaintiff, by Adam, son of Robert de Bruninton, put in his place, and Benedict de Dewysnape and Hawys, his wife, deforciant of the moiety of an oxgang of land in **Denton**.

Benedict and Hawys acknowledged the land to be the right of Robert, and quit claimed it to him and his heirs, in perpetuity. For this release he gave them six marks of silver.

No. 21.—At Shrewsbury, on the Octave of St. Martin,
10 Edward I. [18th November, 1282].

Between Henry Du Lee,¹ plaintiff, by William de Derby, put in his place, and Edmund ffytun, deforciant of 4s. 3d. rent in Alreton [*Oilerton, parish of Leyland*].

Edmund acknowledged the rent, with the appurtenances, as well in homages of free men, wards, reliefs, escheats, and all other things thereto belonging, to be the right of Henry, and rendered it to him, and quit-claimed it for ever. For this release Henry gave him four marks of silver.

No. 22.—At Shrewsbury, in three weeks from Easter, 11 Edward I. [8th May, 1283].

Between Randle de Gosenare and Alice, his wife, and William, son of Alexander le Clerk of Ethelisyk, plaintiffs, by Randle de la More, put in their place, and Theobald le Botiler, tenant, by Simon de Merton, put in his place, of sixty-seven acres of land in Raysacre [*Roseacre, parish of Kirkham*].

Randle, Alice, and William acknowledged the land to be the right of Theobald, and quit-claimed it to him and his heirs in perpetuity. For this release he gave them twenty-four marks of silver.

No. 23.—At Shrewsbury, in three weeks from Easter, 11 Edward I. [8th May, 1283].

Between William, son of William de Heton, plaintiff,² and William, son of Roger de Heton, deforciant of the manors of Heton in Lannesdale and Brunne in Ammundernesne.

William, son of Roger acknowledged the manors, with the appurtenances, as well in demesnes, homages, as in services of free men, to be the right of William, son of William, and rendered them to him, to hold to him and his heirs, of the chief lords of the fees by the services thereto belonging, with remainder to William, son of Roger, and his heirs. For this acknowledgment he gave him one sor goshawk.

[*Endorsed*].—And Christiana, daughter of Roger de Hedon, puts in her claim.

¹ Cf. note to No. 82, *temp.* Henry III., p. 83. Ollerton is a hamlet in the township of Withnel, and in the district formerly known as Gunolvesmores.

² Cf. notes to Nos. 82 and 105, *temp.* Henry III., pp. 83 and 97. William de Heaton of Bourne Hall, parish of Poulton-in-le-Fylde, succeeded his father, Roger de Heaton, in the year 1262. This concord appears to have been made in order to establish a settlement of the family estates upon his son, William de Heaton, junior, in tail.

No. 24.—At Shrewsbury, on the Morrow of St. John the Baptist, 11 Edward I. [25th June, 1283].

Between Richard de Punchardon, plaintiff, and Richard le Clerk, of Rymynton, and Margery, his wife, impedients of a messuage and one oxgang of land in **Little Mutton** [*Mitton*].

Richard and Margery acknowledged the tenement to be the right of Richard de Punchardon, and rendered it to him, and quit-claimed it to him and his heirs in perpetuity. For this release he gave them ten pounds sterling.

No. 25.—At Westminster, on the Morrow of St. Martin, 11 Edward I. [12th November, 1283].

Between John le Waleys¹ of Lithirlond, plaintiff, by Richard, son of Alice, put in his place, and John Waynepayn and Mabil, his wife, deforciantes of a messuage and fifteen acres of land in **Dalton**.

John and Mabil acknowledged the tenement to be the right of John le Waleys, and rendered it to him, and quit-claimed it to him and his heirs in perpetuity. For this release he gave them eight marks of silver.

No. 26.—At Westminster, on the Octave of St. Michael, 12 Edward I. [6th October, 1284].

Between Henry de Cleyton, plaintiff, by Ralph de Clayton and Richard Trosseloue, put in his place, and Adam de Edieles and Christiana, his wife, impedients of fourteen acres of land and one acre of meadow in **Bayley**, respecting which a plea of warranty of charter had been summoned between them.

Adam and Christiana acknowledged the tenement to be the right of Henry, as that which he had by their gift, to hold of them and the heirs of Christiana, to Henry and his heirs in perpetuity, rendering yearly one clove gillyflower at the Nativity of our Lord, and performing the services due to the chief lords of the fee. For this acknowledgment he gave them one sor sparrow-hawk.

No. 27.—At Westminster, on the Octave of St. Michael, 12 Edward I. [6th October, 1284].

¹ Richard le Waleys of Up-Litherland, who died in 1221, had two sons, (1) Richard, who was fined 40s. for his relief, and had livery of his father's lands 6th November, 1221, and was probably father of John le Waleys; and (2) Ranulf le Waleys, who had lands in Dalton, parish of Wigan. Ranulf was father of Richerit de Dalton, who had a son, Adam de Dalton, also called "de Acton." (*Registers of Cockersand and Burscough*).

Between Henry de Clayton, plaintiff, by Ralph de Clayton, put in his place, and William de Clayton and Matilda, his wife, impedients of a messuage, and eighteen acres of land, and one acre of meadow in **Salebiri** [*Salestury*], respecting which a plea of warranty of charter had been summoned between them.

William and Matilda acknowledged the tenement to be the right of Henry, as that which he had by their gift, to hold of them and the heirs of Matilda, to him and his heirs in perpetuity, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee. For this acknowledgment Henry gave them one sor sparrow-hawk.

No. 28.—At Westminster, on the Octave of St. Michael, 12 Edward I. [6th October, 1284].

Between Henry de Claytone, plaintiff, by Ralph de Claytone and Richard Trussenole,¹ put in his place, and William de Wynkedeleye, and Ameria, his wife, impedients of a messuage, twenty-one acres of land, and the moiety of a water-mill, in **Bayley**.

William and Ameria acknowledged the tenement to be the right of Henry, and quit-claimed it to him and his heirs in perpetuity. For this quit-claim Henry granted to them, fourteen acres of land and two acres of meadow in Bayley, which he had by the gift of Adam de Ediesoles and Christiana his wife; to hold to them and the heirs of Ameria, of Henry and his heirs for ever, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords.

[*Endorsed*].—And the Prior of the Hospital of St. John of Jerusalem in England puts in his claim.

No. 29.—At Westminster, on the Quindene of St. Martin, 12 Edward I. [25th November, 1284].

Between Thomas de Ahston, plaintiff, by William de Ahstone, put in his place, and John de Kirkebirlith, deforciant, by Richard de Ahston, put in his place, respecting the manor of **Ahston**.²

¹ *Read* Trusseloue. See No. 26.

² "Albert Gredle, senior [who died *circa* 1160], gave to Orm son of Ailward in marriage with his dau. Emma, one carucate of land in Eston by the service of 10s. [per annum]. The heirs of the said Orm hold that land" [in 1212]. (*Testa*, ii., f. 823). Randle Holme has preserved a rough abstract of a charter, in the possession of Roger Kirkby, of Kirkby, Esq., in the seventeenth century, by which Albert Grelley, who died 1188-9, confirmed this estate to

John acknowledged the manor to be the right of Thomas, to hold of him and his heirs in perpetuity, rendering yearly one penny at the feast of the Nativity of our Lord, and performing the services due to the chief lords of the fee. For this acknowledgment Thomas gave him one sor sparrow-hawk.

No. 30.—At Westminster, on the Quindene of St. Martin, 12 Edward I. [25th November, 1284].

Between Adam de Runacres, plaintiff, and Robert de Runacres, deforciant, by Richard de Lidyate put in his place, of seven acres of land in **Halsale**.

Robert acknowledged the land to be the right of Adam, and rendered it to him, to hold of him and his heirs in perpetuity, rendering a rose at the feast of the Nativity of St. John the Baptist, for all service. For this acknowledgment Adam gave him one sor sparrow-hawk.

No. 31.—At Westminster, on the Quindene of St. Michael, 13 Edward I. [13th October, 1285].

Between Henry de Kygheley and Ellen his wife, plaintiffs, and Alice, formerly the wife of Richard le Botelir, impiedient of the

Roger, son of Orm. The following is a slightly amplified version of the abstract :—"Albert Gresle, to all his friends, as well French as English, sendeth greeting. Know ye that I have given and by this my charter confirmed to Roger, son of Orm, all my lands of Haistune with the appurtenances, and land called Osoluescrouet, and all Hetune, with large liberties, easements and free customs." (*Harl. MS.* 2042, f. 42, carta g). This Roger appears to have been the father of Orm de Ashton, who occurs as tenant with others in a concord made in 1202, respecting lands in Dalton, Parbold and Wrightington. (Cf. No. 26, *temp.* John, p. 18). Orm had issue the above named Thomas de Ashton. On the death of Robert Grelley, 15th Feb. 1282, the custody, during the minority of Thomas Grelley, of land to the yearly value of £6 15s. 11d. in Barton, was given to Adam le Boteler (*Patent*, 10 Edward I., m. 11). The said Adam died about the end of the year 1282, when this custody appears to have passed to Sir John de Kirkby, of Kirkby-Irleth. He appears to have been enfeoffed of several of the Grelley fees, and also of estates held of Grelley. Consequently we find him holding two and a half fees in Barton, Wrightington, and Parbold in the Extent of the Barony of Manchester, made 13th Sept., 1282 (*Manchester*, p. 169). He and his successors thus became mesne tenants of Ashton, under Grelley and de la Warr, and over-lords of the Ashtons of that place. The present concord was probably the result of proceedings by Thomas de Ashton against Sir John de Kirkby, to secure a recognition of the said Thomas' title as tenant of the manor under Kirkby.

manor of **Insckyp**,¹ and two parts of the manor of **Great Eccleston**, respecting which a plea of warranty of charter had been summoned between them.

Alice acknowledged the tenements to be the right of Henry, as those which he and Ellen, his wife, had by her gift, to hold to them, and the heirs of Ellen by the said Henry, in perpetuity, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee. If Henry and Ellen die without heir between them begotten, the tenements shall remain to Alice and her heirs.

No. 32.—At Westminster, on the Quindene of St. Michael, 14 Edward I. [13th October, 1286].

Between Matthew, son of Gilbert de Haydok, plaintiff, and Gilbert de Haydok,² deforciant, by Richard de Haydok, put in his place, of ten messuages, eight oxgangs and four acres of land, and 14s. 6d. rent in **Haydok** and **Bolde**.

Gilbert acknowledged the tenements to be the right of Matthew, and rendered them to him, to hold during Gilbert's life, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee. For this acknowledgment Matthew gave him one sor sparrow-hawk.

No. 33.—At Westminster, on the Octave of St. Martin, 16 Edward I. [18th November, 1288].

Between Robert de Condeclyve, plaintiff, and William de Andreton,³ and Ameria, his wife, deforciant of the Manor of **Lostok** in Rumw[o]rth.

¹ Cf. *note, s. t.* Inship, *Cockersand Chartulary*, p. 184. A pedigree of the family will be found in the *History of Craven*, 3rd edit., p. 205, where it is stated that Ellen, wife of Sir Henry de Kighley, Knt., was the daughter of Sir Hugh Venables, Knt. This concord suggests relationship between the said Ellen, and Alice de Carleton, widow of Sir Richard le Boteler, Knt. See No. 78, p. 182.

² This concord was made to establish a settlement of the Haydock estates by Gilbert de Haydock, upon Matthew, his son and heir.

³ William, son of William de Auderton, and Ameria his wife held Rumworth and Lostock for one-third of a knight's fee in 1282. (*Mamcestre*, p. 154). The said William held this fee of Robert Grelley in 1302, when he contributed to the Aid to marry the King's daughter. Probably Ameria was the daughter and heiress of Richard de Pierpont, who held this fee in 1242. (*Testa* ii., f. 791). This concord was made in order to confirm some previous feoffment of Lostock to Robert de Cunliffe.

William and Ameria acknowledged the manor to be the right of Robert, and rendered it to him, to hold of them and the heirs of Ameria, in perpetuity, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords. For this acknowledgment he gave them a sor sparrow-hawk.

No. 34.—At Westminster, in a month from the feast of St. Michael, 16 Edward I. [27th October, 1288].

Between Hugh de Glyderhou, plaintiff, and John, son of Gilbert de Salebury, impediēt of a messuage and three oxgangs of land in **Salebury**, respecting which a plea of warranty of charter had been summoned between them.

John acknowledged the tenement to be the right of Hugh, as that which he had by John's gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Hugh gave him one sor sparrow-hawk.

No. 35.—At Westminster, on the morrow of All Souls, 18 Edward I. [3rd November, 1290].

Between Richard, son of Gilbert de Penketh, plaintiff, and Henry, son of Margaret, deforciant of a messuage, one carucate of land, and 20s. rent, in **Penketh**.¹

Henry acknowledged the tenement to be the right of Richard, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Richard gave him one sor sparrow-hawk.

No. 36.—At Westminster, on the morrow of the Ascension of our Lord, 18 Edward I. [12th May, 1290].

Between Brother William, Abbot of the Church of the Blessed Mary of ffurneis, plaintiff, and William, son of Richard de Cancefeld, deforciant of customs and services which the Abbot claimed from William, of the manor of **Aldyngham**.² And the Abbot claimed from William, homage for the said manor, and the service of the fortieth part of the fee of one knight,

¹ Penketh was a late infeudation by the lords of Warrington to Roger de Sankey, who held it in 1242 for one-twentieth fee. It had formed part of the Demesne of Warrington. Richard, son of Gilbert de Penketh, was probably a near relation of Roger de Sankey.

² See the *Furness Coucher*, pp. 473-483 *passim*. Cf. note to No. 133, *temp.* Henry III., p. 113.

and suit at the Abbot's court of Dalton in ffurneis from three weeks to three weeks, and the yearly rent of £10, payable by equal portions at the feasts of Easter and St. Michael, which services William did not before admit, and respecting which a plea of covenant had been summoned between them.

William acknowledged that he held the said manor of the Abbot and his successors, by the said services and rent. Whereupon the Abbot remitted to him all losses which he said he had sustained by reason of the detention of the said services. This agreement was made by precept of the Lord the King.

No. 37.—At Lancaster,¹ on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Brother Peter de Haugham, Prior of the Hospital of St. John of Jerusalem in England,² plaintiff, by Brother Henry du Lund, put in his place, and Henry de Lacy, Earl of Lincoln, whom Gregory, Abbot of Stanlowe, called to warrant, and who warranted to him, one messuage, one mill, two carucates of land, and one hundred acres of pasture in **Little Wolveton**, respecting which a recognition of grand assize had been summoned between them.

The Earl acknowledged the tenement with the appurtenances, as well in demesnes, homages, as in services, to be the right of the Prior and his Hospital, and rendered it to him, to hold

¹ Assizes were held at Lancaster during the fortnight, which commenced 8th June, 1292, before the following Justices in Eyre—Hugh de Cressingham, William de Ormsby, John Wigan, Mr. John Lovel and William de Mortimer. The proceedings of this Eyre are recorded upon the *Assize Rolls*, Nos. 408-416, containing in the whole 299 membranes, preserved in the Public Record Office.

² In the year 1290, the Hospitallers of St. John of Jerusalem in England held estates, or had territorial rights in over one hundred hamlets and townships in Lancashire, acquired almost entirely in the twelfth century. It was, however, the habit of this institution, doubtless dictated by convenience, to promptly enfeof others in the lands given to them at a fee-farm rent, the trifling amount of which proves the great antiquity of these infeudations. Little Woolston, in the parish of Childwall, had probably been given to the Hospitallers by one of the early Barons of Halton, but had been re-acquired by one of the donor's successors before the date of its bestowal upon the Abbey of Stanlaw by Roger, Constable of Chester. The object of this concord appears to have been the recognition of the Hospitallers as mesne tenants between the Earl of Lincoln and the Abbey, and doubtless, the acknowledgment of the fee farm rent due to them.

of the Earl and his heirs, as chief lords of the fee, in frank-almoign. For this acknowledgment the Prior gave him one sor sparrow-hawk. And the Abbot, in the Court, quit-claimed from himself, and his successors, and his church of the Blessed Mary of Stanlowe, to the Earl and his heirs, all right and claim in other lands of the Earl, to the value of the said tenement, which the Earl warranted to him.

By solemn inquisition, made before the Justices, it was found that the tenement was held of the Earl in chief, and not of the Lord the King.

No. 38.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between William, son of Elias de Leure, plaintiff, and Elias de Leure, deforciant of the moiety of the manor of Little Leure.¹

Elias acknowledged the moiety of the manor to be the right of William, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment William gave him a sor sparrow-hawk.

No. 39.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292], and afterwards recorded at Appleby, co. Westmorland, on the Octave of St. Michael [6th October] in the same year.

Between William, Abbot of Leycestre, plaintiff, by Brother Henry de Cruddeworth, his Canon, put in his place, and Roger de Slene and Julia his wife, William de Catherton and Laderena his wife, tenants, upon this matter, to wit, that Roger and Julia, William and Laderena, should hold with the Abbot the agreement made between William de Shepheued, formerly Abbot of Leycestre, his predecessor, and the said Roger, and his co-tenants, that the Abbot and his successors should have reasonable estovers in the wood in Elhale,² and acquittance of pannage in the said wood for the said Abbot's pigs.

¹ A concord to establish a settlement of a moiety of the Manor of Little Leaver by Elias de Leaver upon his son William.

² Grimbald de Elle had a grant of two carucates of land in Elle from William de Lancaster II. (1170—1184), to hold by the service of one-twelfth knight. (*Testa* ii., f. 808). He was succeeded by his son Herbert (Cf. No. 46, *temp.* John, p. 26), who had issue Grimbald and Richard. Grimbald II. had issue Grimbald III. and Walter, sometimes

Roger and his co-tenants granted, for themselves and the heirs of Julia and Laderena, that the Abbot and his successors, and his Church of the Blessed Mary de Pratis of Leycestre, and his tenants of Heselrig in the town of Elhale, and of the land belonging to the church there, and of the land called Hallestede, should have reasonable estovers to housebote and haybote in the said wood, at all times of the year, without the view of their foresters, in perpetuity; and also acquittance of pannage for their pigs in the said wood in time of mast, without hindrance, otherwise that each of them should have [rubbed] or by purchase seven pigs in that wood quit of pannage. For this grant the Abbot gave them a sor sparrow-hawk.

The Justices find, by solemn inquisition, that the Abbot and his predecessors were seised of the said estovers and pannage long before the Statute of Mortmain was enacted.

[Endorsed].—Grimbald, son of Robert de Holand, puts in his claim.

No. 40.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292.]

Between Richard de Preston, plaintiff, and Orme de Kellet, deforciant of a messuage and one carucate of land in **Midelton** in Lonesdale.¹

called "de Sowerby," who, for ten marks, sold to Sir Richard le Boteler the custody of his eldest son Richard, with his marriage and inheritance in Ellel and Sowerby. (*Dodsworth's MS.* liii., f. 91). Grimbald III. had issue three daughters, who were his heirs, (1) Ameria or Alina, wife of Robert de Holland, son of Adam de Holland of Euxton, who died s.p.; (2) Juliana, wife of Roger de Sline; (3) Laderina, wife of William de Catherton.

The following extract is taken from the Register of St. Mary de Pratis:—"We (the Abbot and canons) have there (in Ellel) by the gift of Roger de Sclene, for ourselves and our tenants dwelling upon the following lands, to wit, upon the land of Elhale Chapel, and lands of Hesselrig and Elmesthweyt and Hallestude, common of pasture in the whole common pasture belonging to the town of Elhale for the tenants own cattle, with all liberties and easements; and acquittance of pannage for our tenants' pigs reared upon those lands; and sufficient husbote and heybote of dead or other suitable wood standing in Elhale wood. He also granted common of pasture throughout Elhale, as in charter xxj. We have the same grant and confirmation in all things from William de Catherton, as in charter xxv." (*Bodleian Lib., Oxon.*, MS. Laud, H. 72, f. 46).

¹ Middleton, in the par. of Kirkby-Lonsdale, co. Westmorland. See No. 55 *postea*.

Orme acknowledged the tenement to be the right of Richard, and rendered it to him in Court, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Richard gave him a sor sparrow-hawk.

No. 41.—At Lancaster, on the Quindene of Holy Trinity, 20 Edward I. [15th June, 1292].

Between Robert de Holand and Elyzabeth, his wife, plaintiffs, and William son of Turcok de Blakerode, and Matilda, his wife, deforciant of the third part of the moiety of the Manor of **Harewode**,¹ near Boulton.

William and Matilda acknowledged the said third part to be the right of Elyzabeth, to hold in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Robert and Elyzabeth gave them a sor sparrow-hawk.

[*Endorsed*].—John de Euwyas and Cecily, his wife, put in their claim.

No. 42.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June 1292].

Between Margery, Prioress of Wallendewelles,² plaintiff, and

¹ Roger de Samlesbury and Alexander de Harwood held one carucate of land in Harwood, near Bolton-le-Moors, of Robert Grelley in 1212, by military service, where six and a half carucates make one knight's fee (*Testa*, ii., f. 822). Roger de Samlesbury had issue Sir William, eldest son and heir (Cf. *note* to No. 161, *temp.* Henry III., p. 130), who had issue three daughters (1) Margery, married Robert de Hampton; (2) Cecily, married Sir John d'Ewyas; (3) Elizabeth, married Sir Robert de Holland. Perhaps Matilda, wife of William de Blackrod was dau. and heir of Robert and Margery de Hampton. William de Bradshagh held Blackrod in 1282, at a fee farm rent of 20s. (*Mamcestre*, p. 173).

² At Lancaster Assizes, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292], Richard de Urmeston and Sitherilda his wife gave one mark for licence to concord with the Prioress of Wallandewelles, in a plea respecting the advowson of the Church of Westelay, in Legh. They shall have a chirograph. They also acknowledged that they owe 30 marks to the aforesaid Prioress, and found pledges therefor to her, to wit, John de Byron, Henry de Kyghlee, Richard de Bradshawe and Henry de Tyldeslee (*Assize Roll*, No. 408, m. 1 *dorso*).

It does not appear how the Nunnery of Wallingwells, in co. Notts, acquired an interest in the advowson of the Church of Leigh, but it was probably through the family of Norris of Haigh, of whom, I suppose, the Urmestons held this manor *temp.* Henry III. In the 24 Henry VI., the Priory of Erdbury, co. Warwick acquired the advowson of the rectory (*Patent Roll*, 23 Henry VI., Pt. 2, m. 21).

Richard de Urmeston and Sitherild, his wife, deforciant of the advowson of the Church of **Westlay in Legh**, respecting which a recognition of Grand Assize had been summoned between them.

The Prioress acknowledged the advowson to be the right of Sitherild, and quit-claimed it from herself and other Prioresses who should succeed her, and her church of St. Mary of Wallandewelles, to Richard and Sitherild, and the heirs of Sitherild in perpetuity. For this release they gave the Prioress twenty pounds sterling.

No. 43.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Richard, son of Henry de Trafford, plaintiff, and Henry, son of Henry de Trafford, tenant, of thirteen messuages, eighty acres, and ten oxgangs of land, six acres of meadow, twenty-six acres of wood, and 30 acres of pasture, in **Clifton, Crompton, Egeword** [*Edgeworth*]; and between the said Richard, plaintiff, and the said Henry, whom Lora, formerly the wife of Henry de Trafford, called to warrant, and who warranted to her seven messuages, four oxgangs and thirty acres of land, ten acres of meadow, ten acres of wood, and twenty acres of pasture, in **Clifton and Eggeword**.¹

Richard acknowledged the tenements to be the right of Henry. For this acknowledgment Henry gave and granted to him two messuages, two oxgangs of land, sixteen acres of meadow, twenty acres of wood, and thirty acres of pasture, in the said town of

¹ This concord records the settlement of a considerable estate brought to Henry de Trafford (Cf. No. 5, p. 153) in marriage, by his wife Lora. It does not appear who she was, but I would suggest that she was the heir of the estate in Clifton, held in 1212 by Robert de Clifton, probably one carucate (although the *Testa* gives it as four oxgangs) held by the yearly service of 8s. She also seems to have brought her husband one-third part of Edgeworth, viz., two oxgangs, held of the Honour of Lancaster by the yearly service of 7s. 4d. Crompton, an estate apparently of one carucate, had probably been acquired by the marriage of Richard de Trafford, with an heiress of the Chetham family, as suggested in the *note* to No. 5, p. 154. Henry de Trafford, the tenant, only held one moiety of Crompton, which he herein settled upon his brother Richard, with remainder to a younger brother John, and reversion after the death of the survivor of them to himself and heirs. The other moiety had been given by Richard de Trafford, who died before 1278, to his son Geoffrey de Chadderton (*Ibid*). If the surmise that Richard de Trafford and his son Henry both married heiresses, is correct, it explains the sudden rise of this family from a comparatively unimportant position at the beginning of the thirteenth century, to the position of one of the first families in Lancashire at the end of that century.

Crompton, to wit, those which Henry held there on the day of the making hereof; to hold to Richard for life, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, for all services; remainder to John, brother of Richard, for life, if he survives Richard, with reversion to Henry and his heirs in perpetuity, to hold of the chief lords by the services thereto belonging.

No. 44.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Adam, son of Roger de ffarneworth, plaintiff, and Roger de ffarneworth, impediēt of twenty-nine acres of land and twenty acres of pasture in **Barton**, respecting which a plea of warranty of charter had been summoned between them.

Adam acknowledged the tenement to be the right of Roger. For this acknowledgment Roger granted the same to Adam, to hold to him and the heirs of his body, of Roger and his heirs, in perpetuity, rendering yearly one penny at the Nativity of our Lord, and performing the services due to the chief lords of the fee, with remainder in default of issue to Roger and his heirs.

No. 45.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between William, son of Adam de Aldeclyve, and Alice, his wife, Roger, son of John de Aldeclyve, and Emma, his wife plaintiffs, and Robert, son of Pagan of Lancaster, tenant of the moiety of one messuage and three acres of land in **Lancaster**.

William and Alice, Roger and Emma acknowledged the tenement to be the right of Robert, and quit-claimed all their right and claim therein to him and his heirs in perpetuity. For this release Robert gave them four marks of silver.

No. 46.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Thomas de Heton, and Joan, his wife, plaintiffs, and William, son of William de Hoppewode, deforciant of two messuages, one mill, forty acres of land, ten acres of meadow, ten acres of pasture, and ten acres of wood, in **Prestwych** and **Heton**¹ [*Great and Little Heaton*].

¹ "Adam de Prestwich holds ten oxgangs of land in Prestwich and Failsworth in chief of the King in thanage by 24s." yearly service. "Adam de Heaton holds of this Adam four oxgangs [in Great and Little Heaton] by 10s. Gilbert de Notton holds of this Adam two oxgangs in

William acknowledged the messuages and tenements to be the right of Thomas, and rendered them to Thomas and Joan; to hold of the chief lords of the fee, by the services thereto belonging. For this acknowledgment they gave him a sor sparrow-hawk.

No. 47.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between John de Caton, plaintiff, and William de ffurneys and Clarice, his wife, impediens of a messuage and five acres of land in **Gersingham** [*Gressingham*], respecting which a plea of warranty of charter had been summoned between them.

William and Clarice acknowledged the tenement to be the right of John, as that which he had of their gift, to hold of the chief lords, by the services thereto belonging. For this acknowledgment John gave them forty shillings sterling.

No. 48.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Hugh, son of Henry de Tyldisleye, plaintiff, and Thomas, son of Elen de Shorisworth, and Margery, his wife, impediens of seven acres of wood in **Asteleye**.

Thomas and Margery acknowledged the wood to be the right of Hugh, as that which he had of their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Hugh gave them forty shillings sterling.

No. 49.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Robert, son of Adam de Holande, plaintiff, and John de la Croyz of Lathum, and Margery, his wife, deforcians of fourteen acres of land in **Eukeston** [*Euxton*].

John and Margery acknowledged the land to be the right of Robert, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Robert gave them a sor sparrow-hawk.

No. 50.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Failsworth by 48." Prestwich, Great and Little Heaton were therefore assessed at one carucate, and the yearly thanage service was 20s. This is confirmed by the *Birch Feodary*. Thomas de Heaton was evidently the successor in title of Adam, who was living in 1212. (*Testa*, ii., fol. 826).

Between John Deuias and Cecily, his wife, plaintiffs, and Henry, son of William de Birchynesagh, and Margery, his wife, deforciants of the sixth part of the manor of **Harewode**.¹

Henry and Margery acknowledged the sixth part of the manor to be the right of Cecily, and rendered it to John and Cecily, to hold to them and the heirs of Cecily, in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment John and Cecily gave them one sor sparrow-hawk.

[*Endorsed*].—Robert de Holaund and Elizabeth, his wife, put in their claim.

No. 51.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Roger de Wedacre, plaintiff, and William de Nateby, tenant, of one messuage, one oxgang, twenty-eight acres of land, and one acre of meadow, in **Gayrstang**, respecting which a recognition of Grand Assize had been summoned between them.

Roger acknowledged the tenement to be the right of William, and quit-claimed it to him and his heirs in perpetuity. For this release William gave him a sor sparrow-hawk.

No. 52.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Adam de Osbaldeston, plaintiff, and Roger Dewyhurst and Avyna, his wife, deforciants of a messuage and twelve acres of land in **Osbaldeston**.

Roger and Avyna acknowledged the messuage and land to be the right of Adam, and quit-claimed them to him and his heirs in perpetuity. For this release he gave them a sor sparrow-hawk.

No. 53.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Robert, son of Robert de Holaund, plaintiff, and Robert de Holaund, deforciant of one messuage, one mill, fifty-four acres of land, three acres of meadow, and forty-six acres of wood, in **Pembirton** and **Orhul** [*Orrell*].²

Robert, son of Robert, acknowledged the tenement to be the right of Robert de Holaund. For this acknowledgment the latter granted it to him, to hold to him and the heirs of his body, in

¹ Cf. note to No. 41, p. 169.

² A concord to establish a settlement of an estate in Pemberton and Orrell, made by Robert de Holland, sen., upon Robert his son.

perpetuity, rendering yearly one penny at the feast of the Ascension of our Lord, and performing the services due to the chief lords of the fee, with remainder in default of issue to Robert de Holaund and his heirs.

No. 54.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1892].

Between William Valentyn,¹ plaintiff, and Richard de Urmeston and Sigred, his wife, deforciant of the third part of two messuages and two oxgangs of land in **fflixton**.

Richard and Sigred acknowledged the tenement to be the right of William, and quit-claimed it to him and his heirs, in perpetuity. For this release he gave them nine marks of silver.

No. 55.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Orme de Kellet and Eufemia, his wife, plaintiffs, and Richard de Preston, deforciant of one messuage and one carucate of land in **Middilton** in Lonesdale.²

Orme and Eufemia acknowledged the tenement to be the right of Richard, as that which the latter had by the gift of Orme. For this acknowledgment Richard granted it to them and the heirs of Eufemia in perpetuity, to hold of the chief lords of the fee by the services thereto belonging.

No. 56.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Matthew, son of Gilbert de Haydok,³ plaintiff, and Gilbert, son of Hugh de Haydok, deforciant of the moiety of the manor of **Haydok**, and two messuages and three acres of land in the town of Haydok.

Gilbert acknowledged the moiety of the manor and the tenements to be the right of Matthew, and rendered them to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Matthew gave him a sor sparrow-hawk.

[*Endorsed*].—Richard de Ines and Alesia, his wife, put in their claim.

¹ Cf. Survey of 1320, *Mamcestre*, p. 344; also note, *Ibid.*, p. 492.

² This township is in Westmorland. See *History of Westmorland and Cumberland*, by Nicolson and Burn, i., p. 253. See also No. 40, *antea*.

³ Cf. note to No. 32, p. 164.

No. 57.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Laurence, son of Thomas of Lancaster, plaintiff, and Nicholas Gentil, tenant, by William Gentil, his brother, put in his place, of two messuages and thirty acres of land in **Skereton**.

Nicholas acknowledged the tenement to be the right of Laurence, and rendered it to him, and quit-claimed it to him and his heirs in perpetuity. For this release Laurence gave him one hundred shillings sterling.

No. 58.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Robert, son of Adam de Holand, plaintiff, and Adam de Neusum, deforciant of a mill, two oxgangs of land, and ten denariates of rent in **Neusum** [*Newsham, parish of Walton-on-the-Hill*].

Adam de Neusum acknowledged the mill, land and rent to be the right of Robert, as those which he had by the gift of Adam, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Robert gave him a sor sparrow-hawk.

No. 59.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Hugh de Cliderhou, plaintiff, and Thomas de Hilton and Dyana, his wife, deforciants of ten acres of land, twelve acres of wood, ten acres of moor, in **Salebiry** [*Salesbury*].

Thomas and Dyana acknowledged the tenement to be the right of Hugh, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Hugh gave them a sor sparrow-hawk.

No. 60.—At Lancaster, on the Octave of Holy Trinity, 20 Edward I. [8th June, 1292].

Between Laurence Travers, plaintiff, and William, son of Ralph de Nateby, deforciant of a messuage, one oxgang and twenty-eight acres of land, five acres of meadow, ten acres of wood, and thirty acres of pasture, in **Gayrstang**.

William acknowledged the tenement to be the right of Laurence, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Laurence gave him a sor sparrow-hawk.

No. 61.—At Lancaster, on the Octave of Holy Trinity,
20 Edward I. [8th June 1292].

Between Adam, son of Adam de Asshow, and Cecily, his wife, plaintiffs, and Ralph, son of Julian de Hethchernoc, tenant of a messuage and six acres of land in **Hethe-chernoc**, respecting which an assize of *mort d'ancestor* had been summoned between them.

Adam and Cecily acknowledged the messuage and land to be the right of Ralph, and quit-claimed the same to him and his heirs in perpetuity. For this release Ralph gave them a sor sparrow-hawk.

No. 62.—At Lancaster, on the Octave of Holy Trinity,
20 Edward I. [8th June, 1292].

Between William, son of Roger de Ines, plaintiff, and William, son of Adam de Pemberton, and Mary, his wife, deforciant of a messuage and two oxgangs of land in **Pemberton**.

William, son of Adam, and Mary acknowledged the messuage and land to be the right of William, son of Roger, and rendered the same to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment he gave them a sor sparrow-hawk.

No. 63.—At Westminster, on the Quindene of St. Hilary,
20 Edward I. [27th January, 1292].

Between Walter, son of Jordan de Bayleye, plaintiff, and Henry de Wath, and Margaret, his wife, deforciant of a messuage, eight acres of land, and one acre of meadow, in **Aghton** [*Aighton, parish of Milton*].

Henry and Margaret acknowledged the tenement to be the right of Walter, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Walter gave them a sor sparrow-hawk.

No. 64.—At Westminster, in a month from Easter,
21 Edward I. [26th April, 1293].

Between Eustace de Cotesbeche, plaintiff, and John de Knyttcote of Leycestre, deforciant of a messuage and two carucates of land in **Caturhale**.

John acknowledged the messuage and land to be the right of Eustace, and rendered the same to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the

services thereto belonging. For this acknowledgment Eustace gave him sixty marks of silver.

No. 65.—At York, on the Octave of St. John the Baptist, 21 Edward I. [1st July, 1293].

Between Brother Thomas, Abbot of St. Werburge's, Chester, plaintiff, by Adam de Byrcheles put in his place, and William de Heskeyth and Matilda, his wife, tenants, of two oxgangs of land, six acres of meadow, four acres of wood, ten acres of marsh, and six shillings rent, in **Rufford**,¹ near Croston, co. Lanc.; and between the said Abbot, plaintiff, by the said Adam, and Edmund de Legh and Anabill, his wife, tenants, by John Smart put in their place, of two oxgangs of lands, six acres of meadow, four acres of wood, and ten acres of marsh, in the same town.

The Abbot acknowledged the tenements to be the right of Matilda and Anabill, to hold to William and Matilda, Edmund and Anabill, and the heirs of Matilda and Anabill, of the Abbot and his successors and his Church of St. Werburge, in perpetuity, rendering yearly forty shillings at the feasts of St. Martin in Winter, and the Nativity of St. John the Baptist, for all services, to wit, 20s. by William and Matilda and the heirs of Matilda, and 20s. by Edmund and Anabill and the heirs of Anabill; for which they formerly rendered five shillings. For this acknowledgment they gave the Abbot ten pounds sterling. The Jury, for this purpose chosen, say that this Fine will not be to the injury or prejudice of the Lord the King.

No. 66.—At Westminster, on the Morrow of the Ascension of our Lord, 21 Edward I. [8th May, 1293].

Between Thomas Banastre, plaintiff, and William, son of Hugh de Thorp, and Alice, his wife, impedients of three acres and one rood of land in **Bretherton** and **Thorp**, respecting which a plea of warranty of charter had been summoned between them.

¹ "Richard Bussel (1153—1164) gave to the Abbey of Chester one carucate of land in Ruthford in alms, which the Abbot of Chester holds" in 1212. (*Testa*, ii, f. 817). One of the Fittons of Bollin appears to have been enfeoffed of this estate by an Abbot of St. Werburg under the yearly fee farm rent of ten shillings. Richard Fitton, who received Great Harwood from his cousin, Edmund Fitton, had issue three daughters, Matilda, the wife of William de Hesketh; Elizabeth, the wife of Roger Nowel of Read; and Amabel, the wife of Edmund de Lea. The moiety of Rufford was given to Matilda and Amabel, who, with their husbands, are the tenants named in this concord.

William and Alice acknowledged the land to be the right of Thomas, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment he gave them one hundred shillings sterling.

No. 67.—At Westminster, on the Octave of St. Michael, 22 Edward I. [6th October, 1294].

Between Adam de Waleton, clerk, plaintiff, and Master Adam de Waleton, deforciant, by John Banastre, put in his place, of the manor of **Hole** [*Hoole*].¹

Adam acknowledged the manor to be the right of Master Adam. For this acknowledgment Master Adam granted it to him, to hold to him and the heirs of his body, in perpetuity, of the chief lords of the fee, by the services thereto belonging, with remainder, in default of issue, to Master Adam and his heirs.

No. 68.—At Westminster, on the Morrow of the Ascension of our Lord, 23 Edward I. [13th May, 1295].

Between Thomas Travers, plaintiff, and Hugh, son of Paul de Preston, and Alice, his wife, impediants of a messuage, and the third part of one oxgang of land in **Etheleswyk**, respecting which a plea of warranty of charter had been summoned between them.

Hugh and Alice acknowledged the messuage and land to be the right of Thomas, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment he gave them forty shillings of silver.

No. 69.—At Westminster, on the Octave of St. Michael, 23 Edward I. [6th October, 1295].

Between Adam, son of Henry de Chernok, plaintiff, and Hugh de Asshagh, and Margery, his wife, deforciants of a messuage and eleven acres of land in **Chorleye**.

Hugh and Margery acknowledged the messuage and land to be the right of Adam, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Adam gave them twelve marks of silver.

¹ See note to No. 110 *postea*.

No. 70.—At Westminster, on the Quindene of Holy Trinity,
23 Edward I. [12th June, 1295].

Between Robert, son of Gilbert de Ines, plaintiff, and Roger de Botle and Cecily, his wife, deforciant of a messuage, six acres and one rood of land in **Waleton**, near West Derby.

Roger and Cecily acknowledged the messuage and land to be the right of Robert, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Robert gave them forty shillings of silver.

No. 71.—At Westminster, on the Octave of Holy Trinity,
23 Edward I. [5th June, 1295].

Between John de Lacy of Crumbwelbothum,¹ plaintiff, by Otes de Shepeden, put in his place, and Gregory, Abbot of the Church of St. Mary of the blessed place of Stanelawe, deforciant, by Geoffrey Kay put in his place, of the advowson of the church of **Caselton**, in Rachedale.

John acknowledged the advowson to be the right of the Abbot and his church of St. Mary, and quit-claimed it to him and his successors in perpetuity. For this release Henry de Lacy, Earl of Lincoln, whom the Abbot called to warrant, at the Abbot's request, gave John twenty pounds sterling. The Abbot and his predecessors were seised of the advowson long before the Statute of Mortmain was passed.

No. 72.—At Westminster, on the Morrow of the Ascension of our Lord, 24 Edward I. [4th May, 1296].

Between Henry,² son of [illegible] [plaintiff], and William de Ayntre, deforciant of a messuage, five oxgangs,

¹ See his release in the *Coucher of Whalley*, p. 145.

² Probably Henry, son of Henry de Aintree. Alice, widow of Henry de Aintree is named in the concord, as holding her third part in Aintree in dower.

In the reigns of Henry II. and Richard I., Alan de Holland held Aintree, as appears by the following entry in a schedule of the ferm of the Hundred of West Derby, preserved in the *Pipe Roll* of the 11 Henry III. "De Alano de Hoiland de peinagio in Hoiland et Aintree et Barton, xviijs." Alan had issue Henry, who succeeded him, and Adam, and possibly a daughter, married to Robert, son of Wrenou. In the survey of 1212, Henry de Holland is returned as holding three carucates, two oxgangs, in Down-Holland, Aintree, Barton, and Ribbleton, in chief of the King for 26s. yearly service. Before that date he had

and the fourth part of one oxgang and twenty two acres of land, two shillings and three pence rent, and the fourth part of a mill in Ayntre.

Henry acknowledged the tenement to be the right of William. For this acknowledgment William granted the same to Henry, to hold to him and the heirs of his body, of William and his heirs, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due therefor to the chief lords of the fee. Moreover William granted that one oxgang and one acre of land, twelve pence rent, and the fourth part of the mill, which Alice, widow of Henry de Ayntre, held in dower, of William's inheritance, and which after her death ought to revert to William and his heirs, should wholly remain to Henry and his heirs, to hold with the aforesaid tenement as aforesaid. If Henry shall die without heir of his body, the tenements shall wholly remain to Gilbert, his brother, and the heirs of his body; like remainder to Robert, brother of Gilbert, with reversion to William and his heirs in perpetuity, to hold of the chief lords of the fee.

No. 73.—At Westminster, on the Quindene of Holy Trinity, 24 Edward I. [3rd June, 1296].

Between Robert Sonky, junior, plaintiff, and Robert Sonky, senior, deforciant of ten messuages, one mill, eight oxgangs of land, four acres of meadow, and three acres of wood in Weryngton [*Warrington*].

enfeoffed Robert, son of Wrenou, of two oxgangs, and his brother Adam of two oxgangs in Barton; Alan de Holland of one and a half oxgangs, Robert de Molyneux of one oxgang, Henry, son of Gilbert, of three oxgangs, and Hawise, daughter of Richard, of two oxgangs in Aintree, for the total service of 8s. 2d. The other half oxgang in Aintree was probably included in the three grants in frankalmoin to Cockersand Abbey, the Hospital of Chester, and the Hospital of St. John of Jerusalem. (*Testa*, ii., f. 821). Henry had issue, Roger de Holland, who succeeded him, and Elias, who assumed the surname of Barton. The succeeding descents are not clear, but Richard de Holland held these estates in 1346. He had issue, Alan, who married Katharine, daughter of Robert de Coudray, Roger, to whom his father gave Down Holland, Henry, Andrew, Charles and Ameria. Roger, who succeeded to Down-Holland, had Thomas, who died 20th May, 1387, leaving issue, William his son and heir, aged ten years. (*Dodsworth's MS.* xxxix, f. 138 *et seq.*)

Possibly Henry de Aintree, sen., named in the concord, may be identified as the heir of Henry, son of Gilbert, who held three-eighths of Aintree in 1212.

Robert, junior, acknowledged the tenements to be the right of Robert, senior. For this acknowledgment Robert, senior, granted the tenements to Robert, junior, and the heirs of his body, to hold of the chief lords of the fee by the services thereto belonging; with remainder to Jordan Sonky and the heirs of his body, to hold as aforesaid, with remainder to Robert, senior, and his heirs.

No. 74.—At Westminster, on the Octave of Holy Trinity, 24 Edward I. [27th May, 1296].

Between Robert Haydok, plaintiff, and Alice, formerly the wife of Henry de Haydok, impiedient of a messuage and four and a half oxgangs of land in **Thornton**, respecting which a plea of warranty of charter had been summoned between them.

Alice acknowledged the messuage and the land to be the right of Robert, as that which he had by her gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Robert gave her ten pounds sterling.

No. 75.—At Westminster, on the Morrow of St. Martin, 24 Edward I. [12th November, 1296].

Between Roger Noel, junior, plaintiff, and Roger Noel, senior, impiedient of four messuages, eighty acres of land, forty acres of meadow, two pence rent, and the moiety of a mill in **Great Merlay**, respecting which a plea of warranty of charter had been summoned between them.

Roger, senior, acknowledged the tenements to be the right of Roger, junior, as those which he had by his gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Roger, junior, gave him a hundred marks of silver.

No. 76.—At Westminster, in three weeks from the feast of St. Michael, 24 Edward I. [20th October, 1296].

Between Henry de Kygheleye and Ellen, his wife, plaintiffs, and Roger de Kyrkeby and Margery, his wife, deforciant of the third part of a toft and one oxgang of land in **Great Eccleston**.

Roger and Margery acknowledged the said third part to be the right of Henry, as that which Henry and Ellen had by their gift, to hold to them and the heirs of Henry, in perpetuity, of the chief lords of the fee, by the services thereto belonging.

For this acknowledgment Henry and Ellen gave them eight marks of silver.

No. 77.—At Westminster, on the Octave of St. Michael, 24 Edward I. [6th October, 1296].

Between Hugh de Clyderhowe, plaintiff, by Roger de Cliderhowe put in his place, and Thomas de Hilton and Dionise, his wife, deforciants of a messuage, three oxgangs and three acres of land, and four shillings rent, in **Salebury**.

Thomas and Dionise acknowledged the tenement to be the right of Hugh, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment he gave them fifty marks of silver.

No. 78.—At Westminster, on the Octave of St. Michael, 24 Edward I. [6th October, 1296].

Between William de la Donne,¹ clerk, plaintiff, by Roger Baldewyne put in his place, and Henry de Kygheleye and Ellen, his wife, deforciants of the Manor of **Bedeford**.

William acknowledged the manor to be the right of Henry. For this acknowledgment Henry and Ellen granted it to William for life, rendering yearly one penny at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee. After William's decease the manor shall wholly revert to Henry and Ellen, and the heirs of Henry, in perpetuity, to hold of the chief lords of the fee.

No. 79.—At Westminster, on the Quindene of St. Martin, 25 Edward I. [25th November, 1296].

Between Richard de Redyval, plaintiff, by Gilbert de Singleton, put in his place, and Roger de Plessyngton, impedient of thirty-six acres of land and two mills, in **Plessington**, and **Lyveseye**, respecting which a plea of warranty of charter had been summoned between them.

Roger acknowledged the land and mills to be the right of Richard, as those which he had by his gift, to hold to him and

¹ Cf. Nos. 31 and 76 *antea*. Ellen, wife of Henry de Kighley, is said to have been a daughter of Sir Hugh Venables, Knt., Baron of Kinderton. Another daughter Elizabeth, married Richard de la Donne, Lord of Utkinton, co. Chester. Probably William de la Donne, the plaintiff, was one of her younger sons. Bedford appears to have been given to Ellen Venables, presumably by her father in marriage. (*Hist. of Cheshire*, by Ormerod, II., p. 248.)

his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Richard gave him ten pounds sterling.

No. 80.—At Westminster, on the Octave of St. John the Baptist, 25 Edward I. [1st July, 1297].

Between Richard, son of Robert de Bolde, plaintiff, and Robert de Bolde,¹ deforciant of five messuages, one hundred and sixty acres of land, one hundred acres of wood, and five shillings and eight pence rent, in **Bolde**.

Richard acknowledged the tenements to be the right of Robert. For this acknowledgment Robert granted them to him and the heirs of his body, to hold, in perpetuity, of the chief lords of the fee by the services thereto belonging, and rendering yearly to Robert during his life, ten pounds at the feast of the Nativity of the Blessed Mary. If Richard shall die without heir of his body, the tenements to wholly remain to Peter, his brother, and the heirs of his body, to hold, as aforesaid, and rendering the said rent; like remainder to Matthew, brother of Peter, and the heirs of his body, with remainder to Robert and his heirs.

No. 81.—At Westminster, on the Octave of St. Martin, 26 Edward I. [18th November, 1298].

Between William de Heskayth and Matilda, his wife, plaintiffs, and Edmund de Legh and Anabill, his wife, deforciants of two parts of the third part of the manor of **Great Harewoode**,² in Blakeburneshyre.

William and Matilda acknowledged the two parts to be the right of Anabill. For this acknowledgment Edmund and Anabill granted the same to William and Matilda, and the heirs of William by Matilda; to hold of Edmund and Anabill and Anabill's heirs, in perpetuity, rendering yearly during the life of Anabill, 47s. 8d. at the feast of the Nativity of the Blessed Mary, and performing the services due to the chief lords of the fee. Moreover Edmund and Anabill granted that the third part of the third part of the said manor, which Alexander Hyrel and Margaret, his wife, hold in dower, of Anabill's inheritance in the said town, and which after the death of Margaret ought to revert to

¹ A concord to establish a settlement of the demesne of *Bold*, made by Robert de Bold upon his three sons, Richard, Peter and Matthew, successively in tail.

² See Whitaker's *History of Whalley*, ii, p. 388.

Edmund and Anabill, and the heirs of Anabill, shall after the death of Margaret wholly remain to William and Matilda and their heirs, to hold as aforesaid. After Anabill's decease, William and Matilda and their heirs shall be acquitted of the said yearly payment. And if William shall die without heir by Matilda, then after their deaths the tenements shall wholly remain to the right heirs of Anabill, to hold of the chief lords of the fee, for ever. This Fine was made in the presence of Alexander and Margaret, and they agreed to it, and did fealty to William and Matilda in Court.

No. 82.—At York, on the Quindene of Holy Trinity, 26 Edward I. [15th June, 1298].

Between John, son of Adam Banastre, plaintiff, and Adam Banastre,¹ deforciant of eight oxgangs of land in **Tarleton**.

John acknowledged the land to be the right of Adam. For this acknowledgment Adam granted it to John, to hold to him and the heirs of his body, in perpetuity, of the chief lords of the fee, by the services thereto belonging; remainder to Thomas, brother of John, and the heirs of his body, to hold as aforesaid; like remainder to William, brother of Thomas; like remainder to Robert, brother of William; remainder to the right heirs of Adam.

No. 83.—At York, on the Quindene of Holy Trinity, 26 Edward I. [15th June, 1298].

Between Robert, son of Alexander de Etheleswyk, plaintiff, and Adam, son of Ulf, and Agnes, his wife, impedients of a messuage and the moiety of one oxgang of land, in **Etheleswyk**, respecting which a plea of warranty of charter had been summoned between them.

Adam and Agnes acknowledged the messuage and land to be the right of Robert, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Robert gave them twenty pounds sterling.

No. 84.—At York, on the Octave of St. Martin, 26 Edward I. [18th November, 1298].

¹ A concord to establish a settlement of the Manor of Tarleton, made by Adam Banastre upon his sons, John, Thomas, William, and Robert, successively in tail. See No. 96, *postea*.

Between Henry de Lacy, Earl of Lincoln, plaintiff, by John Turpyn put in his place, and Gregory, Abbot of the Church of the Blessed Mary of Stanlowe, tenant, by Roger de Toxtath put in his place, respecting the advowson of the church of **Whallay**, respecting which a jury of Grand Assize had been summoned between them.

The Earl acknowledged the advowson to be the right of the Abbot, and of his church of St. Mary, and quit-claimed it to him and his successors in perpetuity. For this release the Abbot received the Earl into all orisons and benefits henceforth to be made in his church of St. Mary, for ever. This concord was made by precept of the lord the king.

No. 85.—At York, on the Quindene of St. Michael, 26 Edward I. [13th October, 1298].

Between William de Atherton, plaintiff, and William de Bradeshagh and Mabill, his wife, deforciantes of the manors of **Hagh** and **Blakerode**.¹

William and Mabill acknowledged the manors to be the

¹ Hugh le Norreis obtained Blackrod by the grant of John, Count of Mortain (1189-1194); which grant King John confirmed by a Charter which passed at Chinon, 10th October, 1199 (*Charter Roll*, 2 John, m. 5). He was possessed of Haigh as early as the time of Henry II., as appears from an entry in the *Pipe Roll* of the 6 Richard I., 1194-5, recording a fine paid by Hugh for returning to the King's allegiance, after the rebellion of Count John of Mortain had been quelled; and for recovery of his said estates. "Et de iij. m. de Hugone de Hagh pro pace et benevolentia Regis habenda." He died in 1223, and was succeeded by his son Hugh, who gave ten marks for his relief of one carucate of land in Blackrod, formerly of the fief of William Peverel of Nottingham, and had livery by writ, dated 12th May, 1223 (*Fine Roll*, 7 Henry III., m. 5). This Hugh appears to have been succeeded by another Hugh, whose daughter, Mabel, married Sir William Bradshaw, and so brought Haigh and Blackrod into that family. She appears to have been married before 1281-2, as her husband occurs in a schedule of the ferm of Salford Hundred in the 10 Edward I., 1281-2, as holding Blackrod by the yearly service of 20s. (*Mameestre*, p. 173). Mabel survived until after 1346, in which year she was returned in the survey then made as holding the Manor of Haigh by military service. (*Chetham Society*, vol. 74, Pt. II., p. 37). It appears to be an error to suppose that there was any connection between Norreis of Haigh and Blackrod, and Norreis of Sutton, Eccleston and Rainhill. (See note to No. 154, p. 125). The nature of the relationship of William de Atherton and Thomas de Osbaldeston to Mabel, daughter of Hugh le Norreis does not appear from this concord. It is possible that their wives were also of the family of le Norreis.

right of William de Atherton, and rendered them to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment William de Atherton gave them two hundred pounds sterling.

[*Endorsed*].—Thomas de Osbaldeston puts in his claim.

No. 86.—At York, on the Octave of St. Michael, 26 Edward I. [6th October, 1298].

Between John, son of Adam de Smerleshalgh, plaintiff, and Adam de Smerleshalgh, deforciant of a messuage and sixteen acres of land in **Reved** [*Read*].

Adam acknowledged the messuage and land to be the right of John, as that which he had by the gift of Adam, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment John gave him one hundred shillings of silver.

No. 87.—At York, on the Octave of Holy Trinity, 27 Edward I. [21st June, 1299].

Between Adam, son of Adam de Pynintonn, plaintiff, by Geoffrey de Bradagh, his guardian, put in his place, and Adam de Pynintonn, deforciant of six messuages, eighteen acres of land, and ten acres of wood, in **Pynintonn**¹ [*Pennington, parish of Leigh*].

Adam de Pynintonn acknowledged the tenements to be the right of Adam, son of Adam, and rendered them to him in Court, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Adam, son of Adam, gave him twenty pounds sterling.

No. 88.—At York, on the Octave of St. Martin, 27 Edward I. [18th November, 1299].

Between Thomas Banastre, plaintiff, by Gilbert de Syngelton put in his place, and Orme de Kellet,² deforciant, by Robert Haydok, put in his place, of the manor of **Netherkellet**.

¹ A concord to establish a settlement by the father upon his son, of a portion of the demeane of Pennington. Cf. No. 205, p. 149; and No. 90, *postea*.

² Orm de Kellet was the last of an English family who had held Nether Kellet (three carucates) by serjeanty of the bailiwick of Lonsdale, Cartmel and Furness, since the time of Henry I., or perhaps earlier. In defending a plea of *quo warranto* in 1292, Orm pleaded that his ancestors

Orme acknowledged the manor to be the right of Thomas, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Thomas gave him one hundred pounds sterling.

No. 89.—At York, on the Morrow of St. John the Baptist, 27 Edward I. [25th June, 1299].

Between Richard, son of Henry de Wrkedeleye, junior, plaintiff, by Robert de Asston, his guardian, put in his place, and Henry de Wrkedeleye, deforciant of one hundred acres of land, twenty acres of meadow, one hundred acres of wood, and twenty acres of pasture in **Wrkedeleye** [*Worsley*].¹

Henry acknowledged the tenement to be the right of Richard, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Richard gave him one hundred pounds sterling.

No. 90.—At York, on the Octave of Holy Trinity, 27 Edward I. [21st June, 1299].

Between Richard, son of Adam de Pyninton, plaintiff, by Geoffrey de Bradegate, his guardian, put in his place, and Adam de Pininton, deforciant of two messuages, sixty acres of land, and sixty acres of wood, in **Pininton**.²

Adam acknowledged the tenements to be the right of Richard, and rendered them to him in Court, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Richard gave him ten pounds sterling.

had held Nether Kellet, and the serjeanty of the Wapentake of Lonsdale since the time of William the Conqueror, from heir to heir (*Quo Warranto Rolls*, p. 334). He held this estate at the death of Edmund, Earl of Lancaster, in the 25 Edward I., but, as is evident from this concord, he alienated the manor in 1299 to Thomas Banastre of Broughton and Singleton, for a consideration of £100 sterling. Within a year or two after this date, Thomas Banaster appears to have disposed of his title to Sir Robert de Holland, whose mother is said to have been a daughter of Adam Kellet, the grandfather of Orm.

¹ A concord to establish the title of Richard de Worsley to an estate late his father's, Henry de Worsley, jun., then deceased. The deforciant Henry appears to have been an elder relation of Richard's, for by inference he was known as Henry, *senior*.

² Cf. No. 87, *antea*.

No. 91.—At York, on the Morrow of All Souls, 27 Edward I. [3rd November, 1299].

Between William de Turnaghe, plaintiff, and Richard, son of Sighrede de Wordhull, and Matilda, his wife, deforciant of two acres of land and fifteen acres of pasture in **Spotland**.

Richard and Matilda acknowledged the tenement to be the right of William, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment William gave them ten pounds sterling.

No. 92.—At York, on the Morrow of the Purification of the Blessed Mary, 28 Edward I. [3rd February, 1300].

Between Robert de Lathum, plaintiff, and John, son of Alexander de Kyrkebyirlith, deforciant of the manors of **Kyrkebyirlith** and **Dunerdale**.¹

John acknowledged the manors to be the right of Robert, and rendered them to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Robert gave him two hundred marks of silver.

No. 93.—At York, in a month from Easter, 28 Edward I. [8th May, 1300].

Between Adam de Prestwych, plaintiff, and Beatrice, daughter of Elias de Penilburi, deforciant of the manor of **Penilburi**² [*Pendlebury*] and one oxgang of land in **Barton**.

Beatrice acknowledged the manor and land to be the right

¹ It is difficult to give an explanation of this concord. It seems to point to a grant of Kirkby-Irleth and Dunderdale (both in Furness), by John de Kirkby to Robert de Lathom, by way of mortgage, for a consideration of two hundred marks. See No. 101, *postea*.

² Robert de Pendlebury had a grant of Pendlebury (one carucate) from John, Count of Mortain (1189-1194), confirmed in 1199. He had issue Elias, who held the manor in 1212, and died in 1219. Adam his son and heir had livery on the 27th October, 1219, and had seisin of the bailiwick or serjeanty of the Wapentake of Salford in the 2 Henry III. (*Close Roll*, m. 8). He was succeeded by his son Roger. In the extent of Salford Hundred, made in 1282, Alice de Prestwich is returned as rendering 10s. yearly for Pendlebury. She was evidently an heiress of the house of Pendlebury, and I suspect that she was the wife of Adam de Prestwich, and sister of Beatrice, the deforciant. The oxgang in Barton was Wickleswick, formerly a hamlet, but now merged in Trafford Park.

of Adam, and quit-claimed them to him and his heirs in perpetuity. For this release he gave her one hundred pounds sterling.

No. 94.—At York, on the Octave of St. Hilary, 28 Edward I. [20th January, 1300].

Between Richard de Penewortheham, plaintiff, and William de Sotheworth, and Ellen, his wife, deforciant of a messuage in **Preston**.

William and Ellen acknowledged the messuage to be the right of Richard, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Richard gave them twenty shillings of silver.

No. 95.—At York, on the Octave of Holy Trinity, 28 Edward I. [12th June, 1300].

Between Robert de Lathum, plaintiff, by Richard, son of Alexander de Lathum, put in his place, and Alan, son of Peter de Burnhul,¹ tenant of the manor of **Skelmaresdale**.

Robert acknowledged the manor to be the right of Alan, and quit-claimed it to him and his heirs in perpetuity. For this release Alan gave him forty pounds sterling.

No. 96.—At York, on the Octave of St. John the Baptist, 28 Edward I. [1st July, 1300].

Between John, son of Adam Banastre, plaintiff, and Adam Banastre² of Bretherton, deforciant of two messuages, one mill,

¹ Peter de Ashton contributed two marks to the tallage levied in the year 1202. (*Pipe Roll*, 4 John). He was probably the father of Thomas de Burnhull, who held in the year 1212—besides Burnhull and Anderton—three and a half carucates in Ashton-in-Makerfield *cum membris* in thanage. Thomas had issue Sir Peter de Burnhill, Knt. (*Assize Roll* of 1246, No. 404, m. 2, *Whalley Coucher*, pp. 848, 852), who held Ashton, Anderton and Burnhull, and died before 1292 (*Quo Warranto Roll*, p. 377). He was succeeded by his son Alan, who was under age in 1292, and in ward to Gilbert de Clifton. Sir Thomas Gerrard, Knt., whose grandfather married the heiress of Burnhull *temp.* Edward III., died in 1416, seised of the Manor of Skelmersdale (*Lancashire Inquisitions*, i, p. 123).

² Cf. No. 82, *antea*, p. 184. Adam Banastre of Bretherton, living *temp.* John and Henry III., was the father of Richard, living 1246. (*Assize Roll*, No. 404, m. 7). He was probably the father of Adam, who in a previous concord (No. 82) settled Tarleton, and in this concord one carucate in Bretherton, upon his sons in tail.

one carucate of land, eight acres of meadow, and twenty shillings rent, in **Bretherton**.

John acknowledged the tenements to be the right of Adam. For this acknowledgment Adam granted the same to him, and rendered the estate to him, to hold to John and the heirs of his body, of Adam and his heirs in perpetuity, rendering yearly one penny at Easter, and performing the services due to the chief lords of the fee; remainder to William, brother of John and the heirs of his body, to hold as aforesaid; like remainder to Robert, brother of William, with remainder to Adam and his heirs.

No. 97.—At York, on the Octave of St. John the Baptist, 28 Edward I. [1st July, 1300].

Between Jordan de Workesleye, plaintiff, and Henry de Workesleye, impediend of six messuages, one hundred acres of land, twelve acres of meadow, two hundred acres of wood, and one hundred acres of pasture, in **Workesleye** [*Worsley*], respecting which a plea of warranty of charter had been summoned between them.

Henry acknowledged the tenements to be the right of Jordan, as those which he had by the gift of Henry, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Jordan gave him forty pounds sterling.

No. 98.—At York, on the Quindene of St. Michael, 28 Edward I. [13th October, 1300].

Between Thomas le Clerk of Meles, and Emma, his wife, plaintiffs, by Robert de Asshton, put in their place, and Thomas, son of Alan de Snape, deforciant, by Thomas le Waleys, put in his place, of a messuage and twenty-four acres of land in **Halsale**.

Thomas, son of Alan, acknowledged the messuage and land to be the right of Emma, and rendered the same to them, to hold to them and the heirs of Emma in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment they gave him ten pounds sterling.

No. 99.—At York, in a month from the feast of St. Michael, 28 Edward I. [27th October, 1300].

Between Hugh de Standyshe, plaintiff, and Robert, son of Robert de Hepay, deforciant of two parts of the Manor of **Hepay** [*Heapey, parish of Leyland*].

Robert acknowledged the two parts of the manor to be the

right of Hugh, and rendered the same to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. Moreover Robert granted that the third part of the manor, held in dower by Margery, wife of Richard de Haydok, of Robert's inheritance, shall, after her decease, wholly remain to Hugh and his heirs, to hold with the said two parts as aforesaid. For this acknowledgment Hugh gave him forty pounds sterling. This concord was made in the presence of the said Richard and Margery, and they agreed to it and did fealty to Hugh in court.

[*Endorsed*].—Robert de Heppay puts in his claim.

No. 100.—At York, on the Quindene of St. Michael, 28 Edward I. [13th October, 1300].

Between Gilbert de Singelton, plaintiff, and Alice, daughter of William de Coyguers, deforciant of one toft, and forty acres of land in **Warton**, near Lythum.

Alice acknowledged the toft and land to be the right of Gilbert, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment he gave her twenty pounds sterling.

No. 101.—At York, on the Octave of St. Martin, 28 Edward I. [18th November, 1300].

Between John, son of Alexander de Kyrkeby Irlith, and Margery, his wife, plaintiffs, by Hugh de Standisch, put in their place, and Robert de Lathum, deforciant, by Richard de Lathum put in his place, of the manors of **Kirkeby Irlith** and **Donerdale** [*Dunnerdale*].

John acknowledged the manors to be the right of Robert, as those which he had by the gift of John and Margery. For this acknowledgment Robert granted the same to John and Margery, and rendered them to them; to hold to them and the heirs of John of Margery begotten, in perpetuity, of the chief lords of the fee by the services thereto belonging, with remainder to the right heirs of John.¹

¹ A concord to establish a settlement of the Kirkby estates upon Sir John de Kirkby and Margery his wife, and their issue. Sir Robert de Lathum was probably mortgagee of these estates, having some months before given Sir John de Kirkby two hundred marks, in return for which he had obtained a conveyance of Kirkby-Irleth and Dunnerdale as security for the loan. (Cf. No. 92, *antea*).

No. 102.—At York, on the Octave of St. John the Baptist, 29 Edward I. [1st July, 1301].

Between Richard, son of Richard de Hoghton, plaintiff, and Richard, son of Adam de Hoghton, deforciant of seven messuages, two carucates, four oxgangs, and forty acres of land, four acres of meadow, and thirteen shillings and nine pence rent in **Grey-mesargh, Lyvesaye, Whythull, Eccleshull and Etheleston**.¹

Richard, son of Adam, acknowledged the tenements to be the right of Richard, son of Richard. For this acknowledgment the latter granted and rendered the same to him, to hold to him and the heirs of his body in perpetuity, of Richard, son of Adam, and his heirs, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee; remainder to Joan, sister of Richard, son of Richard, and the heirs of her body, to hold as aforesaid; like remainder to Margery, sister of Joan, and her heirs; remainder to Richard, son of Adam, and his heirs.

No. 103.—At York, on the Morrow of the Purification of the Blessed Mary, 29 Edward I. [3rd February, 1301].

Between Henry, son of William de Lee of Reynhull, plaintiff, and William de Lee of Reynhull, deforciant of two messuages and fourteen acres of land in **Reynhull** [*Rainhill*].²

William acknowledged the messuages and land to be the right of Henry, and rendered them to him, to hold to him and his heirs, in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Henry gave him five marks of silver.

No. 104.—At York, on the Morrow of the Ascension of our Lord, 29 Edward I. [12th May, 1301].

Between John de Caton, plaintiff, and John de Hoton and Sigred, his wife, deforciants of a messuage and ten acres of land in **Caton**.

John and Sigred acknowledged the messuage and land to be

¹ Richard de Hoghton, son of Richard, being unmarried and probably in bad health, conveyed the above estates in Grimsargh, Livesey, Whittle-Woods, Eccleshill, and Elston to his cousin Richard, son of Adam, brother of the grantor's (or plaintiff's) father, but settled the remainder, if his cousin had no issue, upon his own sisters, Joan and Margery. Which settlement this concord duly confirmed and established.

² A concord to establish a settlement of land in Rainhill by the father upon the son.

the right of John de Caton, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment John de Caton gave them ten marks of silver.

No. 105.—At York, on the Octave of St. John the Baptist, 29 Edward I. [1st July, 1301].

Between William de Holcroft, plaintiff, and William, son of Geoffrey de Glasebrok, deforciant, by John Travers put in his place, of a messuage and nineteen acres of land in **Glasebrok**.

William, son of Geoffrey, acknowledged the messuage and land to be the right of William de Holcroft, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment William de Holcroft gave him ten marks of silver.

No. 106.—At York, on the Morrow of St. John the Baptist, 29 Edward I. [25th June, 1301].

Between Robert, son of Henry de Workesleye, plaintiff, by Robert de Asshton, his guardian, put in his place, and Henry de Workesleye, deforciant of one hundred acres of wood and two hundred acres of pasture in **Workesleye** [*Worsley*].¹

Henry acknowledged the tenement to be the right of Robert, son of Henry, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Robert, son of Henry, gave him forty pounds sterling.

No. 107.—At York, on the Quindene of Holy Trinity, 29 Edward I. [11th June, 1301].

Between Jordan, son of Robert de Penketh, plaintiff, and Robert de Penketh, deforciant of two oxgangs of land in **Penketh**.²

Robert acknowledged the land to be the right of Jordan, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Jordan gave him forty shillings of silver.

¹ Cf. No. 89, *antea*. Richard and Robert de Worsley, sons of Henry de Worsley, appear to have acquired estates from their mother Joan, who died 1293. She may have been an Ashton, seeing that Robert de Ashton was guardian of her sons until their majority.

² A concord to establish a settlement of the demesne estate of Penketh by Robert de Penketh upon Jordan, his son and heir.

No. 108.—At York, on the Quindene of Holy Trinity, 29 Edward I. [11th June, 1301].

Between Adam, son of Elias de Leure, and Margery, his wife, plaintiffs, and Richard, son of William Hert, tenant of a messuage and fifteen acres of land in **Hindelegh** [*Hindley*].

Adam and Margery acknowledged the tenement to be the right of Richard, and quit-claimed it to him and his heirs in perpetuity. For this quit-claim he gave them ten marks of silver.

No. 109.—At York, on the Octave of St. John the Baptist, 29 Edward I. [1st July, 1301].

Between Ranulf le Gentyl, plaintiff, by Robert de Shyreburn, put in his place, and John le Gentyl, impedient, by William de Brex, put in his place, of one messuage, nineteen tofts, six shillings and eight pence rent, forty acres, and the fifth part of two carucates of land, one mill, and one mill-pool in the water of Lone, in **Schotford** [*Scotforth*] and **Assheton** in Lonesdale, respecting which a plea of warranty of charter had been summoned between them.

John acknowledged the tenement to be the right of Ranulf, as that which he had by John's gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Ranulf gave him one hundred pounds sterling.

No. 110.—At York, on the Octave of Holy Trinity, 29 Edward I., [4th June, 1301].

Between Adam de Waleton of Hole, plaintiff, and Adam, son of Warin de Waleton, deforciant, by Robert de Lichfield put in his place, of the manor of **Waleton**, thirty acres of land in **Laylande**, thirty shillings rent in **Kelgrimesargh**, and the moiety of the manors of **Eccleston**, **Heskyn**, and **Laylond**.¹

¹ A note to the Inquisition *post mortem* of Sir Ralph de Radcliffe (1433) in *Lancashire Inquisitions*, ii., p. 35, partially explains the genealogical details of this concord. The Manor of Walton, *i.e.*, Ulneswalton, had been held by the family of Walton as far back as the commencement of the thirteenth century, of the Barony of Penwortham, by the service of one-fifth knight's fee. The moiety of the manor of Eccleston in Leylandshire, was held by this family in 36 Henry III. (1251-2) of Roger Gernet, Chief Forester of Lancashire, by the free service of 4s. yearly (*Escaeta*, 36 Henry III., No. 59). Heskyn was also held of Gernet by the same tenure, but by what service does not appear. Adam de Walton had obtained a moiety of the manor of Leyland by the grant of Richard Bussel (*Legh of Lyme Deeds*). The title to thirty solidates of land in Kellamergh may be traced by the following record of a suit at

Adam de Waleton of Hole acknowledged the tenements to be the right of Adam, son of Warin. For this acknowledgment the latter granted and rendered them to the said Adam de Waleton of Hole, to hold to him and the heirs of his body, in perpetuity, of the chief lords of the fee by the services thereto belonging; remainder to Adam de Waleton of Mitton and the heirs of his body, to hold as aforesaid; like remainders to William de Waleton and Margery de Waleton, with reversion to the said Adam, son of Warin de Waleton, and his heirs.

[*Endorsed*].—Matilda, formerly the wife of John de Walton, puts in her claim; Margery, daughter of John de Waleton, Joan and Margaret, her sisters, put in their claim; John de ffarinton puts in his claim.

No. 111.—At York, on the Quindene of Easter, 29 Edward I. [16th April, 1301].

Between William, son of William de fforneby, and Margery, his wife, plaintiffs, and Jordan le Tayllor, and Almarica, his wife, deforciantes of a messuage, twenty acres of land and six acres of meadow, in *Inis*, near Crosseby [*Ince Blundell*].

William acknowledged the tenement to be the right of Almarica. For this acknowledgment Jordan and Almarica granted it to William and Margery, to hold to them and the heirs of William by Margery his wife, of Jordan and Almarica, and the heirs of Almarica, in perpetuity, with remainder to Jordan and Almarica and the heirs of

Lancaster Assizes in 1246. "An assize came to make a recognition if Siward de Kelgrimesarewe, father of Margery, was seised of the third part of two oxgangs of land in Kelgrimesarewe, of which Thomas de Bethum holds the third part of one oxgang, and Jordan, son of Quenild, the third part of the other oxgang. Thomas stated that the land was of the inheritance of his wife Amuria, by whom he had issue, Ralph, his son. Jordan called to warrant Warin de Waleton, who warranted, and called to warrant Richard Banastre, who warranted, and called to warrant Robert de Stokeford (*sic*), Roger Gernet and Quenild his wife, and Ralph, son and heir of the said Ammira, formerly the wife of Thomas, who appeared, and stated that the land was the villeinage of one Hugh de Moretoyn, and that the said Siward held it of him in villeinage. Afterwards Robert, Roger and Quenild came and said that the town of Kergrimesarh was a member of Singleton, which was of the King's demesne, where such a writ runs not. Whereupon they were dismissed, and Margery was in mercy for a false claim. She was poor." (*Assize Roll*, No. 404, m. 10).

These estates eventually descended to Legh of Lyme and Barton of Smithells, through the daughters and co-heirs of Margery de Walton named above, by her husband, Adam de Norlegh of Pemberton.

Almarica, to hold of the chief lords of the fee, by the services thereto belonging.

No. 112.—At York, in three weeks from the feast of St. Michael, 29 Edward I. [20th October, 1301].

Between Henry de Trafford, plaintiff, and Adam de Prestwych, deforciant of a messuage, eighty acres of land, six acres of meadow, ten acres of wood, and one hundred acres of pasture in **Barton**.¹

Adam acknowledged the tenement to be the right of Henry. For this acknowledgment Henry granted it to him, to hold for life, of the chief lords of the fee, by the services thereto belonging. After Adam's decease the tenement shall wholly remain to Henry, son of Agnes de Trafford, and the heirs of his body, to hold as aforesaid, in perpetuity; like remainder to Margaret, sister of Henry, and the heirs of her body; like remainder to Ellen, sister of Margaret, and the heirs of her body; like remainder to Margery, sister of Ellen, and the heirs of her body; like remainder to Joan, sister of Margery, and the heirs of her body; remainder to the right heirs of the said Adam.

No. 113.—At York, on the Morrow of All Souls, 29 Edward I. [3rd November, 1301].

Between Richard, son of Robert de Bolde, plaintiff, and Robert de Bolde, deforciant, by Richard Gothewayt put in his place, of the manor of **Bolde**.²

¹ This estate is the manor of Wickleswick, now called Whittleswick in the parish of Eccles. Adam de Prestwich appears to have married Agnes, sister(?) of Henry de Trafford, by whom he had issue, Henry, upon whom the manor of Wickleswick was hereby settled subject to his father's life interest, and daughters, Margaret, Ellen, Margery and Joan, upon whom the reversion of the manor was settled successively in tail, in default of issue of their brother. This estate appears to have belonged to Agnes de Trafford in her own right. It was accordingly settled upon her children after her death (before the date of this concord), subject to her husband's life interest. The heir of Adam de Prestwich appears to have been a daughter, Alice, an only child by a first wife. Alice, daughter of Adam de Prestwich probably married Richard de Pontefract and died young, leaving issue a daughter, usually described as Alice de Prestwich. By her husband, . . . de Wolveley, she had issue Thomas de Wolveley, who succeeded to the manors of Prestwich and Alkington, Robert died young s.p., Alice married Jordan de Tetlawe, and Agnes, who died s.p. See *Lancashire Inquisitions*, p. 53; and *Final Concords*, temp. Edward II., Nos. 40 and 52.

² A concord to establish a settlement of the manor of Bold by Robert de Bold upon his son and heir, Richard, for a consideration of one hundred pounds sterling.

Robert acknowledged the manor to be the right of Richard, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Richard gave him one hundred pounds sterling.

No. 114.—At York, on the Morrow of All Souls, 29 Edward I. [3rd November, 1301].

Between Adam de Hodeleston, plaintiff, by William de Blunvill, put in his place, and John de Hodeleston, deforciant, by William de Holecroft put in his place, of the manors **Whytington** in Lonesdale, and **Cleyton**, near Ribcestre.¹

Adam acknowledged the manors to be the right of John. For this acknowledgment John granted them to him, to hold for life, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services to the chief lords. After Adam's decease the manors shall wholly remain to Robert, son of the said John, and the heirs of his body, to hold as aforesaid; like remainder to Adam, brother of Robert, and the heirs of his body, with remainder to the said John and his heirs.

No. 115.—At York, on the Octave of St. Martin, 29 Edward I. [18th November, 1301].

Between Hugh, son of Henry de Tyldesleye, plaintiff, and Henry de Tyldesleye, deforciant of seven messuages, one mill, eighty-six acres of land, ten acres of meadow, one hundred and sixty acres of wood, and twenty-six acres of pasture, in **Tildesleye**.

Henry acknowledged the tenements to be the right of Hugh, and rendered them to him to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Hugh gave him ten pounds sterling.

¹ The estate in Whittington in Lonsdale was one carucate of land, forming only a portion of the township. Adam de Copeland gave his manor of Whittington and two-thirds of the advowson of the church to Sir John de Huddleston (*Inquisition ad quod damnum*, 28 Edward I., No. 140). Sir Adam de Huddleston acquired a moiety of Billington in 1288, from Adam de Billington, and the other moiety, and Clayton-le-Dale from Henry de Lacy, Earl of Lincoln, at whose death in 1311, he held Clayton and Billington for 10s. yearly service, and by military service. Sir Adam died s.p. in 1322, when Richard, son of his brother, Sir John de Huddleston, was found heir of Billington (*Escaeta*, 15 Edward II., No. 3).

No. 116.—At York, on the Quindene of St. Martin, 30 Edward I. [25th November, 1301].

Between Robert de Clyderhou, clerk, plaintiff, and John, son of Roger de Boulton, and Cecily, his wife, deforciant of three messuages, sixty acres of land, four acres of meadow, and three shillings rent, in **Bayleye** and **Clyderhou** [*Clitheroe*].

John and Cecily acknowledged the tenements to be the right of Robert, and quit-claimed them to him and his heirs in perpetuity. For this acknowledgment and quit-claim Robert gave them ten pounds sterling.

No. 117.—At York, on the Octave of St. Hilary, 30 Edward I. [20th January, 1302].

Between Robert de Clyderhou, plaintiff, and William, son of Nicholas de Mitton, deforciant of one messuage, ten acres, and and one and a half oxgang of land, one acre of meadow, and four pence rent, in **Acton** [*Aighton*].

William acknowledged the tenement to be the right of Robert, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Robert gave him twenty pounds sterling.

No. 118.—At York, on the Octave of St. John the Baptist, 30 Edward I. [1st July, 1302].

Between John de Langeton, clerk, plaintiff, by Robert de Clyderhou put in his place, and John, son of Robert de Langeton,¹ and Alesia, his wife, deforciant of the manors of **Waleton**, **Neuton**, **Lauton**, and the moiety of the manor of **Goldeburn**, and of the advowson of the church of **Wygan**.

John and Alice acknowledged the manors, and the moiety to be the right of John de Langeton, and rendered them to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment he gave them two hundred pounds sterling.

¹ John, son of Robert de Langton, married Alice, only daughter and heiress of James Banastre, the last of the Banastres, lords of Makerfield. The plaintiff, John de Langton, clerk, was brother of Robert de Langton. He was elected Bishop of Chichester 5th April, 1305, and was Chancellor of England from 1 to 4 Edward II, 1308-1311. This concord established a conveyance of the Banastre estates to John Langton, clerk, to secure a charge of two hundred pounds.

No. 119.—At York, on the Octave of St. John the Baptist, 30 Edward I. [1st July, 1302]..

Between Adam Noel, plaintiff, and Roger Noel,¹ deforciant of a messuage, eighty acres of land, twenty acres of meadow, eight acres of pasture, and the moiety of a mill in **Great Merleye** [*Mearley*].

Adam acknowledged the tenement to be the right of Roger. For this acknowledgment Roger granted it to him, to hold to him and the heirs of his body, rendering yearly to Roger during his life twenty marks, to wit, one moiety at Pentecost and the other at the feast of St. Martin in Winter. And after Roger's decease rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee. Remainder to Roger, brother of Adam, and his heirs, to hold as aforesaid in perpetuity.

No. 120.—At York, on the Quindene of St. Hilary, 30 Edward I. [27th January, 1302].

Between Roger de Lancastre,² plaintiff, by Thomas de Warthecop put in his place, and Simon le Tayllour and Beatrice, his wife, impediens of eighty acres of land in **Ulverestone**, respecting which a plea of warranty of charter had been summoned between them.

Simon and Beatrice acknowledged the land to be the right of Roger, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Roger gave them twenty pounds sterling.

No. 121.—At York, on the Octave of the Purification of the Blessed Mary, 30 Edward I. [9th February, 1302].

Between Edmund Talbot, plaintiff, by Walter de Scotton, put in his place, and William de Ederesford and Almarica, his wife, deforciants of one messuage, thirty-four acres of land, and six acres of meadow, in **Dounum** [*Downham*] and **Twyselton**.

William and Almarica acknowledged the tenement to be the

¹ Roger Nowell, the father, resigned this estate in Great Mearley to Adam, his son and heir, in return for an annuity of twenty marks. This family settlement was confirmed by the above concord.

² Sir Roger de Lancaster, Knt., was Lord of Ulverston, Broughton in Furness, and estates in the Barony of Kendal. He married Philippa, eldest daughter and co-heir of Hugh de Bolebeck, of co. Northumberland.

right of Edmund, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Edmund gave them twenty pounds sterling.

No. 122.—At York, on the Octave of the Purification of the Blessed Mary, 31 Edward I. [9th February, 1303].

Between Peter de Ryselegh and Gilbert, his brother, plaintiffs, and John Gylibrand, and Ellen, his wife, deforciants of a messuage, three oxgangs of land, three acres of meadow, fifty acres of pasture, and twelve pence and one halfpenny rent, in **Langeton**.

John and Ellen acknowledged the tenement to be the right of Peter, and rendered it to Peter and Gilbert, to hold to them and the heirs of Peter in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Peter and Gilbert gave them twenty marks of silver.

No. 123.—At York, on the Quindene of St. Hilary, 31 Edward I. [27th January, 1303].

Between Beatrice, daughter of Thomas de Okelshagh, plaintiff, and Thomas de Okelshagh, deforciant of one messuage, twenty acres of land, and one acre of meadow, in **Adburgham** [*Abram*].

Thomas acknowledged the tenement to be the right of Beatrice, to hold to Beatrice and her heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment she gave him ten pounds sterling.

No. 124.—At York, on the Quindene of Holy Trinity, 31 Edward I. [16th June, 1303].

Between Joan, daughter of John, son of Robert, plaintiff, and John, son of Robert, son of Baldwyn de Pulton,¹ deforciant, of three messuages, two and a half oxgangs and thirty acres of land in **Pulton**, near Carlton.

John acknowledged the tenements to be the right of Joan, as those which she had by his gift, to hold to Joan and her

¹ Baldwin de Brume held four oxgangs in Poulton in Amounderness of Matilda de Worsley, *circa* 1220, who released her right therein to the Priory of Lancaster (*Register of Lancaster Priory*, p. 417). He had two sons, (1) John, who had William, Nicholas, and John; and (2) Robert, father of the defendant above named, who by this concord settles two and a half oxgangs of this estate upon his daughter Joan.

heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment Joan gave him twenty marks of silver.

No. 125.—At York, on the Morrow of St. John the Baptist, 31 Edward I. [25th June, 1303].

Between Robert de Shireburn, plaintiff, and Joan, formerly the wife of Thomas Banastre, deforciant of the manor of **Little Syngelton**, and four messuages, one mill, sixteen oxgangs, and one hundred and sixteen acres of land, five acres of meadow, and twenty acres of wood, in **Thornton, Broghton, Dilleworth**, and **Billesburgh**.¹

Joan acknowledged the manor and tenements to be the right of Robert. For this acknowledgment he granted and rendered them to her, to hold for her life, of the chief lords of the fee by the services thereto belonging; remainder to William Banastre and the heirs male of his body, to hold as aforesaid; remainder to Adam, brother of William, and the heirs male of his body; remainder to the right heirs of Joan, to hold as aforesaid, in perpetuity.

No. 126.—At York, on the Quindene of Holy Trinity, 31 Edward I. [16th June, 1303].

Between Ellen,² formerly the wile of Henry de Lathum, plaintiff, by William de Holcroft put in her place, and Richard, son of Henry de Turton, deforciant, by Gilbert de Kilchif [*Culcheth*], put in his place, of a messuage, twenty acres of land, four acres of meadow, sixteen acres of wood, and ten acres of pasture, in **Turton**.

Richard acknowledged the tenement to be the right of Ellen, and rendered it to her, to hold to Ellen and her heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment she gave him twenty pounds sterling.

¹ These estates descended to Joan, daughter and heiress of Alan de Singleton, as heir to her brother Thomas, who died young. She married Thomas Banastre of Bretherton, great-grandfather of Sir Thomas Banastre, K.G., who was drowned at sea, 16th December, 1379.

² Ellen, widow of Henry de Torbock here called Lathom, was lady of Turton, and was so returned in the survey of 1320 (*Mamcestre*, p. 339). By this concord she obtains recognition of her title to an estate in Turton. It is therefore possible that she may have been of the family of Turton. In the pedigree of Torbock it is suggested that she was a Holland.

No. 133.—At York, on the Octave of St. John the Baptist,
32 Edward I. [1st July, 1304].

Between Hugh, son of Robert de Haydock, plaintiff, and Roger, son of William, deforciant of two messuages, twenty-five acres of land, two acres of meadow, and three acres of moor, in **Standissh**.

Hugh acknowledged the tenements to be the right of Roger. For this acknowledgment Roger granted and rendered them to Hugh, to hold to him and the heirs of his body, of the chief lords of the fee by the services thereto belonging; remainder to Robert, brother of Hugh, and the heirs of his body, to hold as aforesaid; like remainder to Matilda, sister of Robert, and the heirs of her body; remainder to the right heirs of Matilda, to hold as aforesaid, for ever.

No. 134.—At York, on the Morrow of St. John the Baptist,
32 Edward I. [25th June, 1304].

Between Alan de Coupland¹ and Margaret, his wife, plaintiffs, and John de Kyrkeby, clerk, deforciant of the manor of **Boulton** in ffurneys.

Alan acknowledged the manor to be the right of John. For this acknowledgment John granted it to Alan and Margaret, and rendered it to them, to hold to them and the heirs of Alan by Margaret, of the chief lords of the fee, by the services thereto belonging; remainder to the right heirs of Alan, to hold as aforesaid, in perpetuity.

No. 135.—At York, in a month from the feast of St. Michael,
32 Edward I. [27th October, 1304].

Between Richard, son of Hugh de fforneby, plaintiff, and Richard, son of Richard Banastre of B[r]etherton, deforciant of one oxgang of land in **Gairstang**.

Richard, son of Richard, acknowledged the land to be the right of Richard, son of Hugh, as that which he had by the gift of Richard, son of Richard. For this acknowledgment the said Richard de Formby granted it to the said Richard Banastre to hold

¹ Sir Alan de Copeland, Knt., is said to have married the sister of Sir John de Kirkby, doubtless the deforciant in this concord. The manor of Bolton in Furness had been given to Furness Abbey by the grandfather of this Alan, but Sir John de Kirkby having acquired it from the Abbey, under circumstances recounted in the *Furness Coucher Book*, appears to have settled it upon the said Alan and Margaret in fee. The above concord confirmed this settlement.

for life, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee; remainder to Isolda, daughter of Richard Ulf of Wyresdale, to hold as aforesaid, for life; remainder to William, son of Richard Banastre and the heirs of his body, to hold as aforesaid; like remainder to John, brother of the said William, and the heirs of his body; like remainder to Adam, brother of the said John, and the heirs of his body; like remainder to Alice, sister of John, and the heirs of her body; with remainder to the said Richard, son of Hugh, and his heirs.¹

No. 136.—At York, on the Quindene of St. Michael, 32 Edward I. [13th October, 1304].

Between William de Heskayth, plaintiff, and Richard de Stafford and Anabill, his wife, deforciant of two messuages, thirteen acres of land, five acres of meadow, nine acres of wood, and six pence rent, in **Riston** [*Rishton*].

Richard and Anabill acknowledged the tenements to be the right of William, as those which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment he gave them twenty marks of silver.

No. 137.—At Westminster, on the Morrow of All Souls, 33 Edward I. [3rd November, 1305].

Between Alan de Eccleston, plaintiff, and Robert de Eccleston, deforciant, by William de Quyke, put in his place, of the manor of **Ecclestone** [*par. of Prescot*].

Robert granted the manor to Alan, and rendered it to him, to hold to him and the heirs of his body, of Robert and his heirs in perpetuity, rendering yearly to Robert, for life, ten marks at the feast of the Nativity of the Blessed Mary, and after Robert's decease, one rose yearly at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee; remainder to Henry, brother of Alan, and the heirs of his body, with remainder to the said Robert and his heirs.²

[*Endorsed*].—Alan le Noreys puts in his claim.

¹ See No. 144, p. 208.

² A concord establishing a settlement of the manor of Ecclestone upon Alan de Eccleston, by his grandfather Robert. Alan le Norris, of Sutton, reserves his title as mesne tenant between Robert de Eccleston and the Earl of Lincoln.

No. 133.—At York, on the Octave of St. John the Baptist, 32 Edward I. [1st July, 1304].

Between Hugh, son of Robert de Haydock, plaintiff, and Roger, son of William, deforciant of two messuages, twenty-five acres of land, two acres of meadow, and three acres of moor, in **Standissh**.

Hugh acknowledged the tenements to be the right of Roger. For this acknowledgment Roger granted and rendered them to Hugh, to hold to him and the heirs of his body, of the chief lords of the fee by the services thereto belonging; remainder to Robert, brother of Hugh, and the heirs of his body, to hold as aforesaid; like remainder to Matilda, sister of Robert, and the heirs of her body; remainder to the right heirs of Matilda, to hold as aforesaid, for ever.

No. 134.—At York, on the Morrow of St. John the Baptist, 32 Edward I. [25th June, 1304].

Between Alan de Coupland¹ and Margaret, his wife, plaintiffs, and John de Kyrkeby, clerk, deforciant of the manor of **Boulton** in ffurneys.

Alan acknowledged the manor to be the right of John. For this acknowledgment John granted it to Alan and Margaret, and rendered it to them, to hold to them and the heirs of Alan by Margaret, of the chief lords of the fee, by the services thereto belonging; remainder to the right heirs of Alan, to hold as aforesaid, in perpetuity.

No. 135.—At York, in a month from the feast of St. Michael, 32 Edward I. [27th October, 1304].

Between Richard, son of Hugh de fforneby, plaintiff, and Richard, son of Richard Banastre of B[r]etherton, deforciant of one oxgang of land in **Gairstang**.

Richard, son of Richard, acknowledged the land to be the right of Richard, son of Hugh, as that which he had by the gift of Richard, son of Richard. For this acknowledgment the said Richard de Formby granted it to the said Richard Banastre to hold

¹ Sir Alan de Copeland, Knt., is said to have married the sister of Sir John de Kirkby, doubtless the deforciant in this concord. The manor of Bolton in Furness had been given to Furness Abbey by the grandfather of this Alan, but Sir John de Kirkby having acquired it from the Abbey, under circumstances recounted in the *Furness Coucher Book*, appears to have settled it upon the said Alan and Margaret in fee. The above concord confirmed this settlement.

for life, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee; remainder to Isolda, daughter of Richard Ulf of Wyresdale, to hold as aforesaid, for life; remainder to William, son of Richard Banastre and the heirs of his body, to hold as aforesaid; like remainder to John, brother of the said William, and the heirs of his body; like remainder to Adam, brother of the said John, and the heirs of his body; like remainder to Alice, sister of John, and the heirs of her body; with remainder to the said Richard, son of Hugh, and his heirs.¹

No. 136.—At York, on the Quindene of St. Michael, 32 Edward I. [13th October, 1304].

Between William de Heskayth, plaintiff, and Richard de Stafford and Anabill, his wife, deforciant, of two messuages, thirteen acres of land, five acres of meadow, nine acres of wood, and six pence rent, in **Riston** [*Rishton*].

Richard and Anabill acknowledged the tenements to be the right of William, as those which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment he gave them twenty marks of silver.

No. 137.—At Westminster, on the Morrow of All Souls, 33 Edward I. [3rd November, 1305].

Between Alan de Eccleston, plaintiff, and Robert de Eccleston, deforciant, by William de Quyke, put in his place, of the manor of **Ecclestone** [*par. of Prescott*].

Robert granted the manor to Alan, and rendered it to him, to hold to him and the heirs of his body, of Robert and his heirs in perpetuity, rendering yearly to Robert, for life, ten marks at the feast of the Nativity of the Blessed Mary, and after Robert's decease, one rose yearly at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee; remainder to Henry, brother of Alan, and the heirs of his body, with remainder to the said Robert and his heirs.²

[*Endorsed*].—Alan le Noreys puts in his claim.

¹ See No. 144, p. 208.

² A concord establishing a settlement of the manor of Eccleston upon Alan de Eccleston, by his grandfather Robert. Alan le Norris, of Sutton, reserves his title as mesne tenant between Robert de Eccleston and the Earl of Lincoln.

No. 138.—At Westminster, on the Quindene of Easter, 33 Edward I. [2nd May, 1305].

Between Robert de Moeles, clerk, plaintiff, and Thomas de Asshtone-under-Lyme, and Cecily, his wife, deforciant of one messuage, eighty acres of land, six acres of meadow, and six acres of marsh, in **Asshton-under-Lyme**.

Thomas acknowledged the tenement to be the right of Robert, as that which he had by the gift of Thomas. For this acknowledgment Robert granted it to Thomas and Cecily, and the heirs of Thomas by Cecily, in perpetuity, to hold of the chief lords of the fee by the services thereto belonging, with remainder to the right heirs of Thomas.

No. 139.—At Westminster, in a month from Easter, 33 Edward I. [16th May, 1305].

Between William de Dacre, plaintiff, and Robert del Helde, deforciant of a messuage, and twelve acres of land in **Ellale**.

Robert acknowledged the tenement to be the right of William. For this acknowledgment William granted and rendered it to him to hold for life, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee. After Robert's death the tenement shall wholly revert to William and his heirs.

No. 140.—At Westminster, on the Quindene of St. John the Baptist, 33 Edward I. [8th July, 1305].

Between Henry de Hulton, plaintiff, and Adam de Leure and Avice, his wife, impediens of thirteen acres of land, fifteen acres of meadow, sixty acres of pasture, and ten acres of wood, in **Barton**, respecting which a plea of warranty of charter had been summoned between them.

Adam and Avice acknowledged the tenement to be the right of Henry, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment he gave them twenty pounds sterling.

No. 141.—At Westminster, on the Octave of St. Martin, 33 Edward I. [18th November, 1305].

Between Richard de Morlegh,¹ and Elizabeth, his wife, plaintiffs, and Roger, son of Roger Noel, deforciant of four

¹ Probably Mearley.

messuages, eighty acres of land, forty acres of meadow, two pence rent, and the moiety of a mill in **Great Merlay**.

Richard acknowledged the tenements to be the right of Roger. For this acknowledgment Roger granted the same to Richard and Elizabeth, to hold to them, and the heirs of Richard by Elizabeth, of the chief lords of the fee, by the services thereto belonging, with remainder to Simon de Baldreston and his heirs.

No. 142.—At Westminster, on the Quindene of St. Hilary, 34 Edward I. [27th January, 1306].

Between Robert de Shireburne, plaintiff, and Richard, son of Adam de Hoghtone, deforciant of a messuage and four acres of land in **Wythenull**, and two parts of the manor of **Gosenargh**, and the sixth part of the manor of **Whytingham**.

Richard acknowledged the tenements to be the right of Robert, as those which he had by his gift. For this acknowledgment Robert granted and rendered them to him, to hold for life, of the chief lords of the fee, by the services thereto belonging: remainder to Richard, son of the said Richard, and the heirs of his body, to hold as aforesaid; remainder to Edmund, son of William de Creystok,¹ and the heirs of his body, to hold as aforesaid; like remainder to Richard, brother of Edmund, and the heirs of his body; like remainder to William, brother of Richard, and the heirs of his body; like remainder to Adam, brother of William, and the heirs of his body; remainder to the right heirs of the said Richard de Hoghton, to hold as aforesaid for ever.

No. 143.—At Westminster, on the Morrow of St. John the Baptist, 34 Edward I. [25th June, 1306].

Between William de Clifton and Aline, his wife, plaintiffs, and Eustace de Godesbeche, deforciant of the manors of **Clifton** and **Westby**.

William acknowledged the manors to be the right of Eustace, as those which he had by the gift of William. For this acknowledgment Eustace granted the manors to William and Aline, to hold for their lives, of the chief lords of the fee by the services

¹ William de Greystock married Joan, daughter of Richard, son of Adam de Hoghton. After the death of her brother Richard without issue, her children succeeded to that portion of the Hoghton estates described above, which did not pass to Sir Richard de Hoghton, her cousin, in whose descendants the bulk of the Hoghton estates descended.

thereto belonging; remainder to William, son of the said William, and the heirs of his body, to hold as aforesaid; like remainder to Thomas, brother of William, son of William, and the heirs of his body; like remainder to Henry, brother of Thomas, and the heirs of his body; remainder to the right heirs of William de Clifton.¹

No. 144.—At Westminster, on the Octave of Holy Trinity, 34 Edward I. [5th June, 1306].

Between John, son of Richard Banastre, plaintiff, and Master Richard Banastre, deforciant of two messuages, one oxgang and thirteen acres of land in **Bretherton**, and **Walton**.

John acknowledged the messuages and land to be the right of Richard. For this acknowledgment Richard granted and rendered them to him, to hold for life, of Richard and his heirs, rendering yearly a rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee; remainder to Agnes, daughter of Adam, son of William de Bretherton, for life, to hold as aforesaid; remainder to William, son of John, son of Richard Banastre, and the heirs of his body, to hold as aforesaid; like remainder to John, son of Adam Banastre, and the heirs of his body, with remainder to the said Richard and his heirs.²

No. 145.—At Westminster, on the Octave of Holy Trinity, 34 Edward I. [5th June, 1306].

Between William de Spellowe, plaintiff, and Gilbert de Kekwyk and Ellen, his wife, deforciant of a messuage and two and half acres of land in **Liverpol**.

¹ A concord to establish a settlement of the Clifton estates upon the sons of William de Clifton and Aline, his wife, successively in tail. Eustace de Codesbeck seems to have been either mortgagee of these estates, or trustee under a prior settlement.

² A concord to establish a settlement of an estate in Bretherton and Walton upon John, son of Richard Banastre and Agnes, his wife (?), daughter and heir of Adam, son of William de Bretherton, for life, and upon William their son in tail, with remainder to John, son of Adam Banastre, brother of the first named John Banastre in tail, remainder to the right heirs of Master Richard Banastre.

This concord, and No. 135 *antea*, give the following pedigree. Richard Banastre of Bretherton, had issue Richard, of Bretherton, called Master Richard in this concord, who probably married Isold, daughter of Richard Wolf (*Ulf*) of Wyresdale, and had one oxgang of land in Garstang in marriage with her. He had issue (1) William, who probably died young;

Gilbert and Ellen acknowledged the messuage and land to be the right of William, as that which he had by their gift, and quit-claimed it to him and his heirs in perpetuity. For this release William gave them ten marks of silver.

No. 146.—At Westminster, on the Quindene of St. Martin, 34¹ Edward I. [25th November, 1306].

Between Richard, son of Agnes de Ulvereston, plaintiff, by William de Slene put in his place, and Adam Gernet and Katherine, his wife, impedients of a messuage, fifty acres of land, one acre of meadow, and one acre of wood, in **Ulvereston**, respecting which a plea of warranty of charter had been summoned between them.

Adam and Katherine acknowledged the tenement to be the right of Richard, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment Richard gave them twenty pounds sterling.

No. 147.—At Westminster, on the Octave of St. Martin, 34¹ Edward I. [18th November, 1306].

Between Henry, son of John le ffeure of Bolde, plaintiff, and John de Meles and Margery, his wife, deforciants of four acres of land in **Sutton**.

John and Margery acknowledged the land to be the right of Henry, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment he gave them ten marks of silver.

(2) John Banastre of Bretherton, who by his wife (? Agnes, daughter of Adam, son of William de Bretherton), had issue a son William; (3) Adam Banastre, who had issue a son John; (4) a daughter Alice. It is probable that Master Richard Banastre had a Brother Adam, who in 1298 settled one carucate of land in Tarleton upon his sons, in tail; and one carucate of land in Bretherton in like manner, in 1300 (Cf. Nos. 82 and 96 *antea*). He had issue (1) John, (2) Thomas, who was probably ancestor of the Banastres of Bank; (3) William, and (4) Robert. This family was wholly distinct, and probably unconnected with the family of Banastre who acquired Broughton, Singleton, and other estates in Amounderness by marriage with the heir of Alan Singleton of Broughton and Singleton.

¹ Possibly this is a mistake of the clerk, and that the year should be 35 Edward I., 1307. The regnal year ended on November 20th.

No. 148.—At Westminster, on the Octave of the Purification of the Blessed Mary, 35 Edward I. [9th February, 1307].

Between Alexander Atherton, plaintiff, and Hugh de Atherton,¹ and Joan, his wife, deforciant of a messuage, one hundred acres of land, sixty acres of meadow, sixty acres of pasture, and sixty acres of moor, in **Oldum** [*Oldham*] and **Glotheyk** [*Glodwick*].

Hugh and Joan acknowledged the tenement to be the right of Alexander, and rendered it to him, to hold to him and his heirs in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this acknowledgment he gave them one hundred pounds sterling.

No. 149.—At Westminster, on the Octave of St. Hilary, 35 Edward I. [20th January, 1307].

Between Henry, son of Henry de Trafford, plaintiff, by William de Werberton, his guardian, put in his place, and Henry de Trafford, deforciant, by Robert de Ashton put in his place, of the manor of **Clyfton**, near Pennylbury.

Henry de Trafford granted the manor to Henry, son of Henry, and rendered it to him, to hold to him and the heirs of his body, of Henry de Trafford and his heirs in perpetuity, rendering yearly during the life of Henry de Trafford ten marks at the feast of St. Michael, and after his decease, one rose yearly at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee; remainder to Richard, brother of Henry, son of Henry, and the heirs of his body, to hold of Henry de Trafford and his heirs, as aforesaid; like remainder to Robert, brother of Richard, and the heirs of his body; like remainder to Ralph, brother of Robert, and the heirs of his body; like remainder to Thomas, brother of Ralph, and the heirs of his body, with remainder to Henry de Trafford and his heirs.²

¹ Hugh de Atherton held two oxgangs of land in Glodwick in chief of the King, after the death of Edmund, Earl of Lancaster, by the service of 3s. 2d. for all service. (*Birk Feodary*). This render probably included the service of the other moiety of the hamlet, which had formerly been a member of the Montbegon fief in Salford Hundred.

² This concord seems to suggest an error in the Trafford pedigree printed in Baines' *History of Lancashire*, edition 1893, iii, p. 236. Henry de Trafford, living *temp.* Henry III., had issue by Lora his wife (Cf. No. 43, p. 170), Henry, his heir, Richard (*Ibid.*), and John (*Ibid.*). This Henry is the deforciant in this concord. At Lancaster Assizes, 20 Edward I., he claimed against his cousin the manors of Chadderton and Foxdenton, referring in the pleadings

No. 150.—At Westminster, on the Morrow of the Purification of the Blessed Mary, 35 Edward I. [3rd February, 1307].

Between Alexander de Hoglegate, chaplain, plaintiff, by Robert le Mon put in his place, and John de Hyde¹ and Isabel, his wife, deforciant, by Robert de Asshton, put in their place, of a messuage and two oxgangs of land in **Halghton** [*Haughton*].

John acknowledged the messuage to be the right of Alexander, as that which he had by the gift of John. For this acknowledgment Alexander granted it to John and Isabel, to hold to them and the heirs of John in perpetuity, of the chief lords of the fee, by the services thereto belonging. For this grant they gave him twenty marks of silver.

No. 151.—At Westminster, on the Quindene of Holy Trinity, 35 Edward I. [4th June, 1307].

Between Adam de Ursewyk and Isabel,² his wife, plaintiffs, and Edmund de Nevill, deforciant of four oxgangs and twenty acres of land in **Oure Kellet** [*Over Kellet*].

Adam acknowledged the land to be the right of Edmund. For this acknowledgment Edmund granted it to Adam and Isabel, to hold to them and the heirs of Adam by Isabel, of the chief lords of the fee by the services thereto belonging, with remainder to the right heirs of Adam.

No. 152.—At Westminster, on the Quindene of Holy Trinity, 35 Edward I. [4th June, 1307].

to their *common grandfather* Richard de Trafford. The said Henry, by Margaret his wife, had issue Henry, his heir, Richard, Robert, Ralph, and Thomas, all named in the settlement, which this concord established. He died in 1334, when he was succeeded by his grandson Henry, son and heir of the Henry, son of Henry of this concord. This concord was probably made after the death of Margery, mother of Henry, son of Henry, upon whom the manor of Clifton appears to have been settled, in order to establish a settlement upon her eldest, and other sons successively in tail.

¹ John de Hyde is named in the Survey of Manchester, A.D. 1320, with others, as possessing a rateable share of the waste in Denton, containing 240 acres. Cf. pedigree of Hyde of Urmston, Baines' *History of Lancashire* edition 1888, vol. iii., p. 311.

² According to the survey of 1346, Isabella de Urswick held the third part of one and a half carucate and one oxgang of land in Over Kellet, rendering yearly 2s. 6d. It is not unlikely that her husband, Adam de Urswick, was father of Sir Robert de Urswick, who was Escheator in co. Lancaster, *temp.* Richard II., and grandfather of Sir Robert, who was Sheriff of Lancaster in 1415-1418.

Between John, son of Thomas de Assheton, plaintiff, by John de Dalton, his guardian, put in his place, and Thomas de Assheton,¹ deforciant, by Adam, son of Elias de Alte put in his place, of the manor of **Assheton** [*under-Lyne*].

Thomas granted the manor to John, and rendered it to him to hold to him and the heirs of his body, of Thomas and his heirs in perpetuity, rendering yearly to Thomas for life 100 marks, to wit, one moiety at the feast of the Nativity of St. John the Baptist, and the other moiety at the feast of St. Michael, and after the death of Thomas, rendering yearly to his heirs one rose at the feast of the Nativity of St. John the Baptist, and performing the services due to the chief lords of the fee; remainder to Robert, brother of John, and the heirs of his body, to hold as aforesaid; like remainder to William, son of Adam Banastre, and the heirs of his body; remainder to Alexander, brother of Thomas, for life, to hold as aforesaid; like remainder to Robert, brother of Richard de Assheton, for life; with remainder to the said Thomas and his heirs.

No. 153.—At Westminster, on the Quindene of Holy Trinity, 35 Edward I. [4th June, 1307].

Between John de Horneby, plaintiff, and Benedict de Ererelay and Hawyse, his wife, impedients of a messuage, one toft, and one acre of land in **Horneby** and **ffarleton**, respecting which a plea of warranty of charter had been summoned between them.

Benedict and Hawyse acknowledged the tenement to be the right of John, as that which he had by their gift, to hold to him and his heirs in perpetuity, of the chief lords of the fee by the services thereto belonging. For this acknowledgment he gave them twenty marks of silver.

¹ In the pedigree of Ashton, of Ashton-under-Lyne, the above-named Thomas de Ashton, living *circa* 1280-1310, is made to be grandson of Orm, son of Ailward, who lived 1135-1160! He appears to have been actually the fourth in descent from Orm.

DIVERS COUNTIES.

LANCASTER—YORK.

No. 194.—At Westminster, on the Octave of St. Hilary, 17 Edward I. [20th January, 1289].

Between Adam de Brockhole, plaintiff, and Robert, son of Adam Noel, of Merlay, and Agnes his wife, and Cecilia, sister of the said Agnes, tenants of a messuage and half an oxgang of land in Brockhole.

Robert, Agnes, and Cecilia acknowledged the said tenements to be the rights of Adam, to hold to Adam and his heirs, of the said Robert, Agnes and Cecilia, and the heirs of the said Agnes and Cecilia for ever, rendering therefor yearly a rose at the feast of St. John the Baptist. For this acknowledgment Adam granted to Robert, Agnes and Cecilia two tofts, eight acres of land, and four acres of meadow in Pathorn in Kravene, co. York, to hold to Robert, Agnes and Cecilia and to the heirs of Agnes and Cecilia, of the said Adam and his heirs for ever.

No. 261.—At York, on the Quindene of Holy Trinity, 29 Edward I. [11th June, 1301].

Between Marmaduke de Twenge, plaintiff, and Margaret de Ros,¹ deforciant of thirty-nine carucates of land, and fifteen mills in Costwayt [*Crosthwaite*], Lith [*Lyth*], S'auelay-gamel [*Staveley Gamel*], Hugail [*Hugill*], Ryspeton [*Reston*], Gresmere [*Grasmere*], and Langedon [*Langdale*]; and of the manor of Helsington, except forty-five acres of land in the said manor; and a fourth part of the manor of Kyrkebi in Kendale with the appurtenances, except the Castle of Kyrkeby in Kendale; and of £6 11s. ½d. of rent, rent of two sparrow-hawks, a pair of gilt spurs and the moiety of one pound of cummin, and the third part of a knight's fee in Staynton [*Stainton*], Nateland [*Natland*], Siresdergh [*Sizergh*], Quinefel [*Whinfell*], Wyndergh [*Winder*], Hakthorp [*Hackthorpe*], Trostormond [*Trostermount*], Barton, Neuby, Tyrehegh, Great Stirkeland

¹ See Nicholson and Burn's *History of Cumberland and Westmorland*, I, p. 41.

[*Great Strickland*], **Stirkeland Kétel** [*Strickland Ketel*], **Routheworth**, **Kyrkeby in Kendale**, **Helsington**, **Bereburne** [*Barbon*], **Bolteston**, **Stavelay-godemonde** [*Staveley Godmond*], **Skelmershegh** [*Skelsmergh*], **Ast Thewayt** [*Asthwaite*], **Dilaker**, **Honecastre** [*Hincaster*], **Sleddale** [*Longsleddale*], **Preston Richard**, **Slegille** [*Sleagill*], **Louthur** [*Lowther*], **Little Stirkeland** [*Little Strickland*]; and **Rygmayden** [*Rigmaden*], co. Westmorland; and of an acre of land, £4 12d. of rent, and a moiety of a knight's fee in **Warton**, **Kerneford** [*Carnforth*], **Hilhale** [*Ellel*], **Caterhale** [*Catterall*], **Esseton** [*Ashton*], **Stodhagh** [*Stodday*], **Scodford** [*Scotforth*], **Thirnum** [*Thurnham*], and **Rotheclif** [*Upper Rawcliffe*], and the advowson of the church of **Warton**, co. Lancaster; and of seven-and-a-half knight's fees and 10s. of rent in **Quyxlay** [*Whixley*], **Geruorby** [*Garrowby*], **Shucherskolf** [*Scutterskelfe*], **Faiceby** [*Faceby*], **Esington** [*Easington*], **Twenge** [*Thwing*], **Anays Burton** [*Burton Agnes*], **Shakelthorp** [*Shacklethorpe*], **Glaphou** [*Waupley*], **Tocotes** [*Tocketts*], and **Greyneston** [*Grimston*], and of a third part of wreck of the sea between **Reuueswyk** [*Ruswick*] and **Jarum** [*Yarm*], co. York. (Plea of covenant)

Marmaduke acknowledged the said tenements and advowson to be the right of Margaret, for which she granted them to Marmaduke together with the homages and services of Robert de Wessington, and Baldwin de Shepesheued, Robert de Hoyland, Roger de Slene, Robert de Weston, Richard de Preston, Henry de Stodach, Robert Gowere, William Sturmy, Robert de Shucherskelf, Ambrose de Camera, Robert Ughtred, and Isabella his wife, and of their heirs for the tenements which they formerly held of the said Margaret in the said towns; to have and to hold to the said Marmaduke and his heirs begotten of his body, of the Lord the king and his heirs for ever, in default of an heir of his body, the said tenements and advowson to remain to William, son of Margaret de Ros, and to the heirs of his body. And this agreement was made, the said Robert, Baldwin, &c., being present and consenting, and they did fealty to the said Marmaduke in the said Court. This agreement was made by the King's command.

No. 265.—At York, on the Octave of St. Martin, 29 Edward I. [18th November, 1301].

Between William, son of Margaret de Ros, plaintiff, and Margaret de Ros, deforciant of two messuages, thirty-one carucates

and forty-five acres of land, five mills, and the moiety of three mills in Helsington, Scalethwaytrig, Hoton Hay, Stirkeland Randolph, Grenerig, Hogayl, Patton, Dilaker, and of the advowson of the Hospital of St. Leonard, near Kyrkeby in Kendale, and the Castle of Kyrkeby in Kendale, and a fourth part of the manor of Kyrkeby in Kendale; and of £10 2s. $\frac{1}{4}$ d. of rent, a rent of one sparrow-hawk, three pounds of pepper, two pounds of cummin, one pound of wax, and twelve arrows, and two-thirds of a knight's fee in Burton, Maunsegh [*Mansergh*], Preston Richard, Lupton, Henecaster [*Hincaster*], Kylington [*Killington*], Frithebank [*Firbank*], Berghes [*Birches*], Socbrede [*Sockbridge*], Tyregh, Stirkeland Roger [*Strickland Roger*], Slegille [*Sleagill*], Banandeshale [*Bannisdale*], Little Stirkeland. [*Little Strickland*], Conyngeswyke [*Cunswick*], Brathelake, Tranthewayt [*Tranthwaite*], Barton, Melcanthorp [*Melkanthorp*], Midelton, Staynton, Lilbergh, Hauerbreke [*Haverbrack*], Stirkeland Ketel, Crok, Patton, Uluethewayt [*Ulfthwaite*], Ast Thewayt [*Asthwaite*], and Stirkeland Randolph, co. Westmoreland; and the tenth part of a knight's fee in Leghton [*Leighton*] and Yeland Coygners [*Yealand Conyers*], co. Lancaster. (Plea of covenant).

William acknowledged the said tenements, castle, and advowson to be the right of Margaret, for which Margaret granted them to the said William, to have and to hold to the said William and to the heirs begotten of his body, in default to remain to Marmaduke de Tweyng and his heirs. This agreement was made by the King's command.

APPENDIX.

Additional note to No. 44, page 63.—It is an interesting and curious fact (upon the truth of which we quite needlessly cast a doubt in the above note), that in the thirteenth century there were living, and holding lands, in two Lancashire townships, then known respectively as Halcton (now West Houghton, in Salford Hundred), and Acton (now Aughton, in West Derby Hundred), two distinct persons bearing the name “Madoc, son of Bleddyn.” Both belonged to families of undoubted Welsh extraction, which had probably settled in Lancashire after the expulsion (*circa* 1167) of Robert Banastre, and his Welsh dependents and vassals, from the estates which he held by castellanry of the Castle and Honour of Prestatyn, near Rhuddlan, in co. Flint. The name calls to mind the story of Bleddyn ap Cynfyn, whose fidelity to the English met with such a base return at the hands of Henry I. The story is given in Freeman’s *Norman Conquest*, v.p. 211.

We are indebted to J. P. Rylands, F.S.A., for calling our attention to the following charter from the “Yates Evidences,” preserved in an account of the family of Hulton of Hulton, privately printed *circa* 1845, royal 8vo., pp. 48.

Grant by Gilbert de Limme, with the assent of his wife Jocasta, to Maurice, son of Ithel, for his homage and service, of a portion of his land in “the Wiche” by these bounds, to wit, from Fairhurstbroc going up to the moiety of Wichard, thence to the bounds of Fernewrth, and from the bounds of Fernewrth to Abreneheued, and so descending by Wichsike and from Wichsike to the bounds of Tildislehe; to hold in fee. Witnesses :—Robert de Buron, Geoffrey de Burun, Richard de Workedele, John de Barton, Gilbert de Notton, William de Raddeclive, Alexander de Pilkington, Jarword de Hulton, Madoc his brother, Elias Penulbure, Henry de Trafford, and others. [S.D., 1200-1216].

Madoc was a younger brother of Iorwerth de Hulton, both being sons of Bleddyn. The former was living in 1246, when his name occurs in the roll of the Justices of Assize at Lancaster, as Maddok de Halketon, one of the sureties for Dike son of Maddok, indicted for some offence, to which he had failed to answer.

Additional note to No. 166, page 133.—The following extract from the Close Roll of 54 Henry III. (No. 91, m. 5 *dorso*), explains how the Byron family acquired Royton from the heir of William, son of William, who was thane of Royton in the year 1212 :—

“On the Octave of the Apostles Peter and Paul, 54 Henry III. (6th July, 1270), this agreement was made between Alexander Lutterel of the one part, and Sir John Byrun, Knt., of the other, as follows. That the

said Alexander and Margery his wife have sold to the said John all their land in Ryton, which Thomas, son of William, father of the said Margery, gave to him in the county of Lancaster, on this wise, to wit, that Alexander and Margery his wife shall come before the Kings Justices of the Bench, at Westminster, on the Octave of St. Michael next ensuing, *de die in diem*, and this at the expense of John, to levy a chirograph to ratify this tenement to John and his heirs, as Alexander and Margery's charter bears testimony. In case Alexander, his attorney, or his wife Margery shall not come upon the appointed day, the Sheriff of Somerset for the time being shall levy a hundred and five marks upon their goods and chattels to the use of the said John, which sum he has given for the premises in Ryton, and John shall deliver up the land of Ryton with the charter and muniments of feoffment to Alexander and Margery. Provided that whatever John or his heirs have in the meantime received from the said tenement, shall remain to John and his heirs. If the fine be levied according to agreement, then the said tenement shall quietly remain to John and his heirs, and this agreement shall be handed to Alexander and Margery. In the meantime John shall not make any waste, sale or destruction of woods and houses pertaining to that tenement, until the fine be levied. And if Margery happen to die before that be done, the said John shall have the tenement for ever, and Alexander and his heirs shall not pay the said sum of one hundred and five marks. And the said Alexander and Margery, hereby renounce upon the premises, all cavellation, deception, privilege of signing with the cross, all remedy of right, and all other things contrary to the form of this covenant."

Additional note to No. 178, p. 138.—The pleadings in a suit brought by the King's Attorney against Robert de Holand and others, to recover ten pounds of annual rent in Walton and Hale, formerly members of the Royal Demesne in Lancashire, which are recorded in the *Quo Warranto Rolls*, p. 386, afford a clearer account of the title to Hale in the year 1293, than that given in the *note* to the above Concord.

As is there stated, King John gave, and Henry III. confirmed, Hale to Richard de Meath. The latter King, early in his reign, bestowed the land between Ribble and Mersey upon Ranulf, Earl of Chester, whose title passed to William de Ferrers, Earl of Derby, in right of his wife Agnes, daughter and co-heir of the said Earl of Chester, and from him to his son William, Earl of Derby, who died in 1254, and so to Robert de Ferrers, son and heir of the last-named Earl. The said Robert was attainted of high treason for rebellion, but was pardoned and his estates restored; but rebelling again, his estates were confiscated, those in Lancashire being ultimately given to Edmund, Earl of Lancaster. So much respecting the chief lords of Hale. Richard de Meath, during his possession of Hale, enfeoffed his wife, Cecily de Columbers, of this estate, to hold it after his death of his brother, Henry de Walton, whom he thereby constituted his heir. Accordingly, Cecily, as lady of Hale, was sub-tenant, after her husband's death, under Henry de Walton, which tenure continued when the estate descended to her daughters, and ultimately to Adam de Ireland, in right of Edusa his wife, one of the said daughters, who ultimately became heir to her sister's purparty. Henry

de Walton had issue a son William, who had a son Richard. The said Richard being a minor at his father's death, his wardship fell to Robert de Ferrers, as chief lord, who sold the wardship of the heir and of his estates, and also the lordship over his estates—thus creating a meane tenancy—to one Nicholas de la Huse, a Wiltshire man, who afterwards sold the wardship and the lordship of the land of the heir to Robert de Holand. In accordance with this title, the jury at York, on the Morrow of St. John the Baptist, 21 Edward I., gave a verdict against the King, and in favour of the said Robert de Holand. In the final concord, No. 178, Thurstan de Holand occurs as tenant of the 400 acres of land in Hale, because Nicholas de la Huse's assignment had doubtless been made in the first instance to Thurstan *and his heirs*. After his death his son Robert would become assignee.

Additional note to No. 7, page 155.—We are indebted to J. P. Rylands, F.S.A., for the following abstracts of charters relating to Hollingworth, preserved in Canon Raines' *Lancashire MSS.*, xxv., 26:—

(1) Grant by John, son of John de Riland and Cecily his wife, to John de Byron and Joan his wife, of all their land in Holinworth, to wit, that land which they had by the gift of William de Sale and Cecily his wife; rendering yearly therefor one grain of pepper at the feast of St. Martin. For this grant John and Joan gave John de Riland eight marks. Witnesses—Sir Geoffrey de Bracebrig, Roger de Middleton, Geoffrey de Chaderton, Alexander de Pilkington Adam de Prestwich and others. [S.D. circa 1278].

The John, son of John de Riland of this charter, is obviously the John, son of John de Halchon (*i.e.*, West Houghton) of the *Final Concord* No. 7. His wife Cecily, may very probably have been the daughter of William, and Cecily de Sale, who in the following charter grant the remaining portion of their estate to John de Byron.

(2) Grant by William de Sale, and Cecily his wife to Sir John de Burun and Joan his wife of all their land in Holinworth; rendering therefor yearly a rose at the feast of the Nativity of St. John the Baptist. For this grant John and Joan gave William fourteen marks. Witnesses—as above (except Richard, instead of Geoffrey, de Chaderton), with the addition of W. de Hopwood, and W. de Sherweud, clerk. [S.D. 1278-1290].

(3) Release by Cecily de Holinworth, widow, to Sir John Byron, Knt., of two oxgangs of land in Holinworth, in Butterworth, which William de Sale, formerly her husband had sold to the said Sir John de Byron. Dated 26 Edward I. [1297-8].

The following is a more complete abstract of the charter quoted in the *note* to the concord No. 29, page 162.

“Albert Gresle, to all his friends, as well French as English, sendeth greeting. Know ye that I have given, and by this my charter confirmed to Roger, son of Horm, and his heirs, all my lands of Haistune, with all the appurtenances, and all the land called Osolue's Crouet, and all Hetune with all the appurtenances, and large liberties, easements, and free customs; to

hold of me and my heirs, as the same Roger held of my father, and for the same service, to wit, for Haistun twenty shillings, or one sor sparrow-hawk, and for Hetune in like manner twenty shillings. Witnesses, Roger de Merci (Marsey, who died 1185), John de Ancotes, Ralph de Birun, Robert son of Seifrid, Robert son of Henry, Geoffrey Greale, William de Merci (Marsey), and Bernard Greale." [S.D. 1160-1182]. *Kuerden's MSS.*, Heralds' College, London, Vol. III., K. fol. 6 b.

Haistune is Ashton-under-Lyne. Oswulf's croft has not been identified. Hetune was perhaps Heaton Norris.

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Yelond, <i>see</i> Yealand	<i>Yrewell</i> , <i>see</i> <i>Irwell</i>
<i>Yewdalebeck</i> , 4, 5	Ysolt, wife of Robert, 10

ADDITIONS.

Barbon, 57 n

Westhoughton, p. 151, read *Little Houghton*, *par. Eccles.*

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